

**SAN BERNARDINO COUNTY  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
ENVIRONMENTAL CHECKLIST FORM**

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the State CEQA Guidelines.

**PROJECT LABEL: PROJ-2023-00061**

<b>APNs:</b>	0608-051-02, 03, and 04	<b>USGS Quad:</b>	Sunfair
<b>Applicant:</b>	Evoque Modern, LLC 54934 Twentynine Palms Hwy. Yucca Valley, CA 92284	<b>T, R, Section:</b>	Section 35, Township 1 North, Range 7 East
<b>Location</b>	66121 Twentynine Palms Highway, Joshua Tree, San Bernardino County, California		
<b>Project No:</b>	PROJ-2023-00061	<b>Community Plan:</b>	None
<b>Rep</b>	M. Archer Stephenson Principal LAMAL KAL 442-205-7932	<b>Land Use Category (LUC):</b>	Commercial (C)/Very Low Density Residential (VLDR)
		<b>Zoning Designation</b>	Neighborhood Commercial (CN)/Multi-Residential (RM)
<b>Proposal:</b>	A CUP to construct and operate a 20-room hotel with guest amenities.	<b>Overlays:</b>	Biotic resources, Desert Tortoise, Burrowing Owl

**PROJECT CONTACT INFORMATION:**

**Lead agency:** County of San Bernardino  
Land Use Services Department  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415-0182

**Contact person:** Oliver Mujica, Contract Planner III  
**Phone No:** (909) 387-4002      **Fax No:** (909) 387-3223  
**E-mail:** [Oliver.Mujica@lus.sbcounty.gov](mailto:Oliver.Mujica@lus.sbcounty.gov)

**Project Sponsor** Evoque Modern, LLC  
54934 Twentynine Palms Hwy.  
Yucca Valley, CA 92284

**PROJECT DESCRIPTION:**

***Summary***

The Project proposes Tentative Parcel Map No. 20774 to combine three (3) existing parcels to create four (4) new parcels (Parcel 1, 5.28 acres; Parcel 2, 2.57 acres; Parcel 3, 2.56 acres; and Parcel 4, 2.24 acres) and a Conditional Use Permit for the development and operation of a twenty (20) room two-story hotel on Parcel 1 and associated infrastructure. The hotel Project consists of a single-story hotel lobby building with a greeting area, office, guest laundry facility, and mechanical room. The guest rooms will be in separate buildings, consisting of a total of 20 rooms

in three separate structures with a total of 7,705 square feet. Additional structures include a 1,300 square foot coffee shop/cafe, 1,300 square foot restaurant, 3,600 square foot club room, 1,800 square foot wine bar, 2,550 square foot lobby/office/mechanical/laundry building, 3,500 square foot hotel restaurant, and 3,800 square foot spa, and associated infrastructure including American with Disabilities Act (ADA) parking spaces, ADA ramps and walkways, native plantings, downward facing lighting, refuse enclosure, on-site drainage improvements, a septic system, and paved access roads. Parcels 2, 3 and 4 will remain vacant. Land use areas are provided in the table below:

#### Proposed Land Use Areas

Proposed Land Use	Area
Gross Area	5.11 acres
Net Area	4.38 acres

#### Building Use Areas

Building Use	Area
Total Lot Size	230,203 sq. ft.
Proposed Structures	26,500 sq. ft.
Max Allowed Coverage	80%
Total Project Coverage	16%

Ingress and egress of the Project site will occur from two access points, one on Miles Square Road and one on to California Hwy 62.

#### Surrounding Land Uses and Setting

The Project site is within the County of San Bernardino. The site is currently vacant. As shown on the County Land Use Map, the Project site is within the Commercial (C) land use category and Neighborhood Commercial (CN) zoning district. The following table lists the existing adjacent land uses and zoning.

Existing Land Use and Zoning Designations			
Location	Existing Land Use	Land Use Category	Zoning
Project Site	Vacant	Commercial (C)	Joshua Tree/Neighborhood Commercial (JT/CN)
North	Vacant	Public Facility (PF)	Joshua Tree/Institutional (JT/IN)
South	Vacant and Rural Residential	Very Low Density Residential (VLDR)	Joshua Tree/Single Residential – 20k square feet Minimum (JT/RS-20M)
East	Vacant and Rural Residential	Commercial (C)	Joshua Tree/Neighborhood Commercial (JT/CN)
West	Vacant	Commercial (C)	Joshua Tree/Neighborhood Commercial (JT/CN)

***Project Site Location, Existing Site Land Uses and Conditions***

The Project site consists of portions of three vacant parcels located on the southeast corner of the intersection of Mile Square Road and California Highway 62, in the unincorporated area of Joshua Tree, San Bernardino County, California (Exhibits 1, 2, and 3). It is surrounded by vacant land to the north, east, south, and west, with one rural residence to the southeast, and California Highway 62 to the north.

The Project site is located within Section 35, Township 1 North, Range 7 East, San Bernardino Base and Meridian and is also located within the *Sunfair* 7.5-minute US Geological Survey (USGS) Quadrangle. The project site is located within a relatively undeveloped area of Joshua Tree. The site is surrounded by vacant land to the north, east, south, and west, with one rural residence to the southeast, and California Highway 62 to the north.

**ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES**

Federal: None

State of California: Caltrans

County of San Bernardino: Land Use Services Department-Building and Safety, Public Health-Environmental Health Services, Special Districts, and Public Works.

Regional: Mojave Desert Air Quality Management District.

Local: None

**Site Photographs**



Photo 1 –  
Northwest  
corner of  
Project site,  
facing east.



Photo 2 –  
Northwest  
corner of  
Project site,  
facing south.





Photo 3 –  
Middle of  
northern edge  
of Project site,  
facing west.

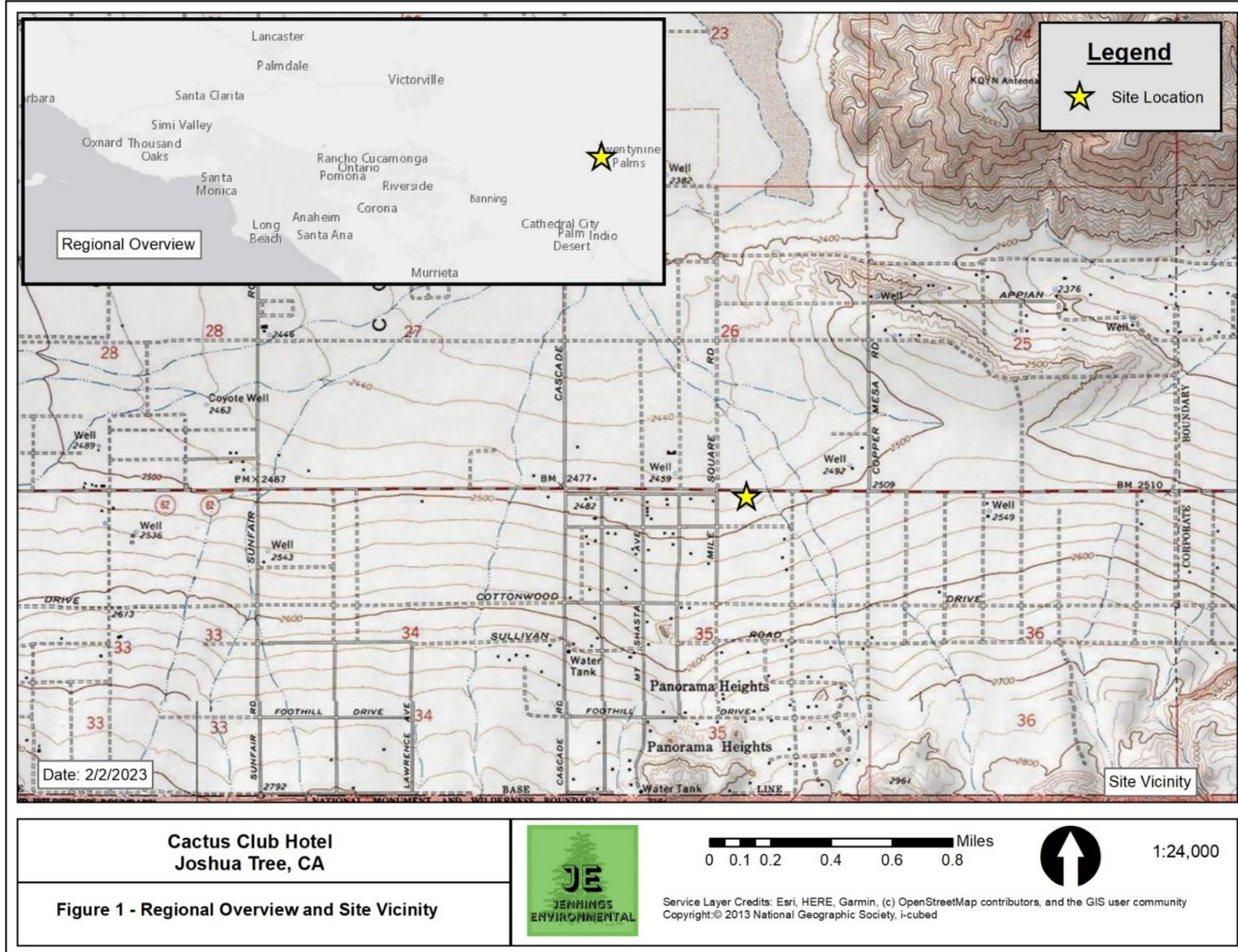


Photo 4 –  
Middle of  
northern edge  
of Project site,  
facing south.



Photo 5 –  
Middle of  
northern edge  
of Project site,  
facing east.











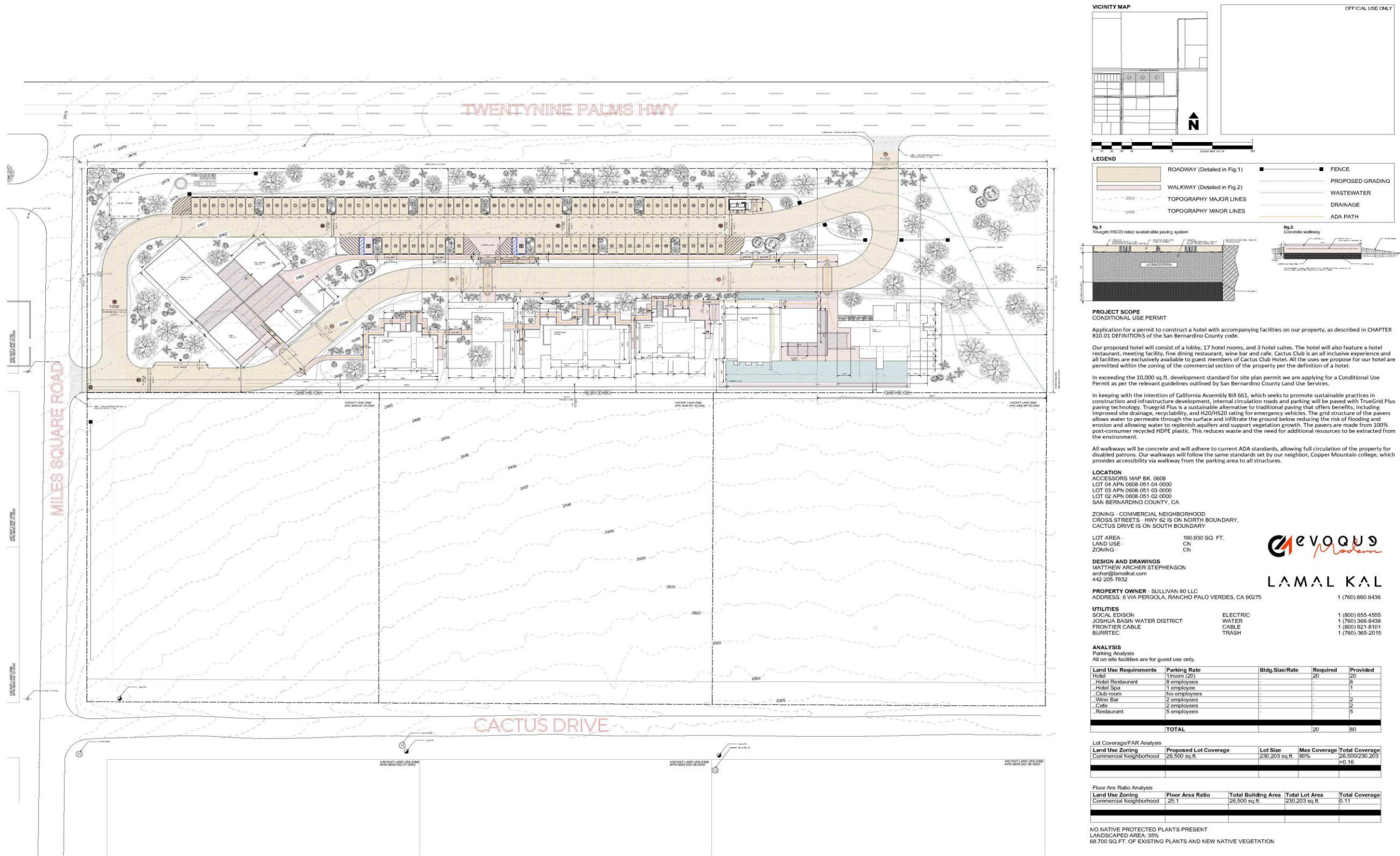


Figure 3 – Site Plan



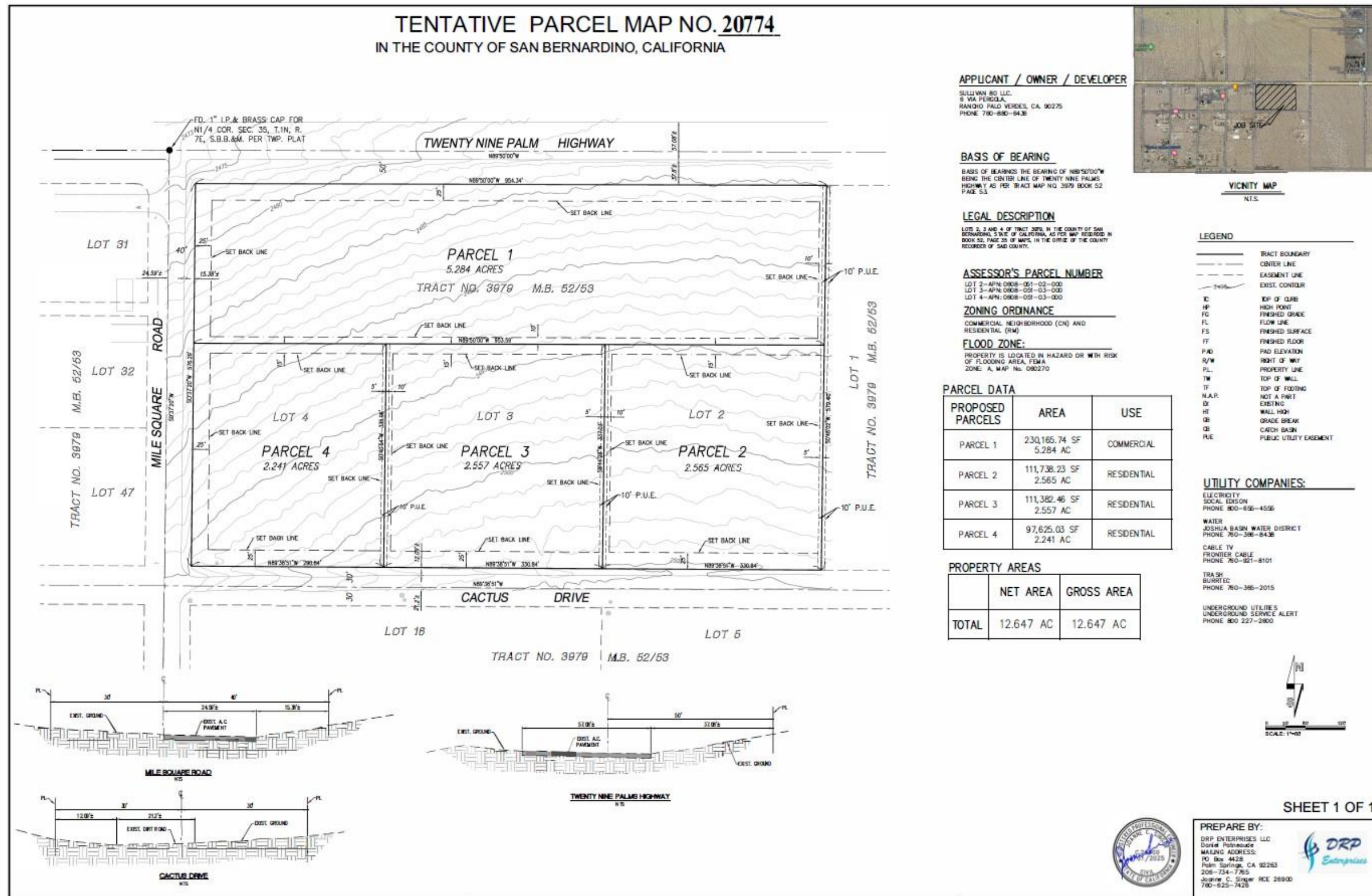


Figure 4: Tentative Parcel Map 20774



## **CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES**

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Effective July 1, 2015, in accordance with Assembly Bill 52 (AB 52), the California Environmental Quality Act (CEQA) has been amended to require that lead agencies consider potential impacts to “tribal cultural resources” as part of the environmental review. In order to meet the requirements of AB 52, lead agencies must engage in a notice and consultation process with tribes having cultural affiliation within the geographic area of a proposed project.

On August 30, 2023, a Notice of opportunity to Consult was sent to the following tribes. Twenty-Nine Palms Band of Mission Indians, Colorado River Indian Tribes, Ft Mojave Indian Tribe, Morongo Band of Mission Indians, Yuhaaviatam of San Manuel Nation, Soboba Band of Luiseño Indians.

**Table 1: AB 52 CONSULTATION SUMMARY**

<b>Tribe</b>	<b>Comment Letter Received</b>	<b>Summary of Response</b>	<b>Conclusion</b>
Twenty-Nine Palms Band of Mission Indians	-	-	-
Colorado River Indian Tribes	-	-	-
Fort Mojave Indian Tribe	-	-	-
Morongo Band of Mission Indians			
Yuhaaviatam of San Manuel Nation	9/5/23	Request of additional information	Standard mitigation provided and incorporated into this document
Soboba Band of Luiseño Indians	-	-	-

The Yuhaaviatam of San Manuel Nation was the only tribe to respond. They responded via email on 9/5/2023 providing recommended mitigation measures be placed on the project.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

## **EVALUATION FORMAT**

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. **No Impact:** No impacts are identified or anticipated, and no mitigation measures are required.
2. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated, and no mitigation measures are required.
3. **Less than Significant Impact with Mitigation Incorporated:** Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant.
4. **Potentially Significant Impact:** Significant adverse impacts to the environment have been identified or anticipated and an Environmental Impact Report (EIR) is required.

At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below will be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> <u>Aesthetics</u>                      | <input type="checkbox"/> <u>Agriculture and Forestry Resources</u> | <input type="checkbox"/> <u>Air Quality</u>                          |
| <input checked="" type="checkbox"/> <u>Biological Resources</u> | <input checked="" type="checkbox"/> <u>Cultural Resources</u>      | <input type="checkbox"/> <u>Energy</u>                               |
| <input type="checkbox"/> <u>Geology/Soils</u>                   | <input type="checkbox"/> <u>Greenhouse Gas Emissions</u>           | <input type="checkbox"/> <u>Hazards &amp; Hazardous Materials</u>    |
| <input type="checkbox"/> <u>Hydrology/Water Quality</u>         | <input type="checkbox"/> <u>Land Use/Planning</u>                  | <input type="checkbox"/> <u>Mineral Resources</u>                    |
| <input type="checkbox"/> <u>Noise</u>                           | <input type="checkbox"/> <u>Population/Housing</u>                 | <input type="checkbox"/> <u>Public Services</u>                      |
| <input type="checkbox"/> <u>Recreation</u>                      | <input type="checkbox"/> <u>Transportation</u>                     | <input checked="" type="checkbox"/> <u>Tribal Cultural Resources</u> |
| <input type="checkbox"/> <u>Utilities/Service Systems</u>       | <input type="checkbox"/> <u>Wildfire</u>                           | <input type="checkbox"/> <u>Mandatory Findings of Significance</u>   |

**DETERMINATION:** Based on this initial evaluation, the following finding is made:

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there shall not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

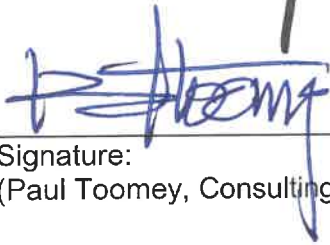
Initial Study PROJ-2023-00061  
Evoque Modern  
APN: 0608-051-02, 03, and 04  
May 2025

**CERTIFICATION:**

A large, stylized handwritten signature in black ink, appearing to read 'O. Mucica', followed by a horizontal line.

Signature:  
(prepared by Oliver Mucica, Contract Planner III)

August 14, 2025  
Date

A handwritten signature in blue ink, appearing to read 'P. Toomey', followed by a horizontal line.

Signature:  
(Paul Toomey, Consulting Planning Manager)

AUGUST 18, 2025  
Date



Issues		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>I. AESTHETICS</b> – Except as provided in Public Resources Code Section 21099, would the project:					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:** (Check ☐ if project is located within the view-shed of any Scenic Route listed in the General Plan):

***San Bernardino Countywide Plan, Visual Impact Analysis prepared by Corozal, dated May 2023***

a) Have a substantial adverse effect on a scenic vista?

The existing view photographs were compared to the architectural drawings to define the degree of visual change and visual impacts of the proposed Project. The BLM Visual Resource Management (VRM) System was used to evaluate visual change by comparing the Project features with the basic features (i.e., landform, vegetation, and structures) in the existing landscape using the basic design elements of form, line, color, and texture. The BLM VRM System was used to evaluate visual change for the Project because the County has not developed or adopted its own visual resource analysis methodology and the VRM System is an industry standard method for analysis of landscape visual change. The BLM also manages landscapes with similar characteristics to the Project site. Visual contrast rating forms (BLM Form 8400-4) were completed for each Key Point of Observation (KOP) and are provided in figures 7-10 of the Visual Impact Assessment. The anticipated degree of viewer sensitivity (i.e., low, moderate, or strong) is disclosed for each KOP. Consistent with the BLM's VRM System, factors considered in determining degree of contrast include distance, view angle, view exposure, relative size or scale, and spatial relationships. As noted in each KOP form in the

Visual Impact Analysis, the Project design does meet the visual resource objectives for the County and no additional mitigation measures are required.

Additionally, the Project site is located within the unincorporated area of Joshua Tree, San Bernardino County, California. Mountain views are generally considered a scenic vista for much of Joshua Tree. The San Bernardino Mountains are located approximately 16.9 miles west of the Project site. However, due to distance from the subject property, the visual impact of mountain vistas as seen from the Project site is diminished. Additionally, land to the north and east is undeveloped and there are rural residential uses to the south and west of the Project site. The Project would be designed to incorporate the views and native landscape. The proposed structures over two story in height. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

- b) *Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?*

The Project is located adjacent to State Highway 62 which is a County designated scenic route and an eligible state scenic route. Highway 62 is the main corridor gateway to the Joshua Tree and Twentynine Palms and the main arterial roadway for the unincorporated communities of in the area. The Project site would be visible from Highway 62, however, the portion of the site proposed for development is in a commercial zone adjacent to existing development on the west and north and will be consistent with Policy NR-4.1 of the Countywide Plan concerning location and scale of development to preserve scenic vistas. Therefore, a less than significant impact is expected.

#### **Less Than Significant Impact**

- c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

The area surrounding the Project site includes vacant desert land and rural residential structures, with a junior college to the north (Copper Mountain College). Surrounding lands are planned for rural residential development and commercial development. The proposed Project is consistent with both existing and future development in the area. It will not substantially degrade the existing or future visual character or public views of the site or surroundings, as it will be consistent with the San Bernardino County Municipal Code as a permitted use, subject to a Conditional Use Permit. Therefore, impacts associated with visual character will be less than significant.

#### **Less Than Significant Impact**

- d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?

The site is currently vacant. The proposed Project would create new long-term sources of light and glare from interior and exterior building lighting, safety and security lighting, landscape lighting, and vehicles accessing the site. Lighting and glare levels will be regulated by the County's lighting standards (Municipal Code Section 83.07.060), including the use of directional lighting, shielding, motion sensors, light curfew, and automated control systems. The Project will shield light fixtures to minimize spillage onto adjacent properties. Adherence to the Municipal Code design standards will assure that Project light and glare impacts will be less than significant.

### Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated with the implementation of mitigation measures.

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>II.</b>	<b>AGRICULTURE AND FORESTRY RESOURCES</b> - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) | Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**SUBSTANTIATION:** (Check ☐ if project is located in the Important Farmlands Overlay):

***San Bernardino Countywide Plan; California Department of Conservation Farmland Mapping and Monitoring Program; Submitted Project Materials***

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the Project Site as "Area not Mapped" in its California Important Farmland Finder.<sup>1</sup> This land is considered not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities. No prime farmland, unique farmland, or farmland of statewide importance occurs at the Project Site or within the immediate vicinity. The proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

**No Impact**

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The Project site is not included in a Williamson Act contract or an Agricultural Preserve. Based on these facts, the proposed Project will not cause a significant direct impact or conflict with the Williamson Act or an existing agricultural use. The site is not currently being farmed and the General Plan land and zoning designations= support Commercial uses and is surrounded by vacant land, residential and commercial uses, which are not agricultural in nature. Furthermore, the County of San Bernardino does not have any current land use designations or zoning classifications for agricultural use<sup>2</sup> in the vicinity of the site. According to the California Department of Conservation's Farmland Mapping and Monitoring Program, there are no sites within the Project footprint under a Williamson Act Land Conservation Contract. Therefore, no potential for direct or indirect effects on agricultural resources or values would occur due to implementation of the Project.

<sup>1</sup> <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed May 16, 2022

<sup>2</sup> <https://www.arcgis.com/apps/webappviewer/index.html?id=f23f04b0f7ac42e987099444b2f46bc2>, Accessed May 16, 2022



**No Impact**

- c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

There are no existing zoning ordinances that pertain to forest land, timberland, or timberland zoned Timberland Production within this section of San Bernardino County. The site does not currently contain forestry resources, and is zoned for Commercial use,. The site is surrounded by vacant land and a few residential developments, which are not related to forestry uses. Additionally, according to the San Bernardino Countywide Plan, there are no land use designations that pertain to forest land, timberland, or timberland zoned Timberland Production within or adjacent to the Project site<sup>3</sup>. Therefore, there is no potential for direct or indirect effects to existing zoning for forest land, timberland, or timberland zoned Timberland Production to occur due to implementation of the Project.

**No Impact**

- d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

As described in the preceding evaluation, there are no forest lands within the Project area, which is because the Project area is located in a desert. No potential for loss of forest land would occur if the Project were implemented.

**No Impact**

- e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

Because the Project site and surrounding area do not support either agricultural or forestry uses and, furthermore, because the Project site and environs are not designated for such uses, implementation of the proposed Project would not cause or result in the conversion of farmland or forest land to alternative use. No adverse impact would occur.

**No Impact**

**Therefore, no impacts are identified or anticipated, and no mitigation measures are required.**

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<sup>3</sup> <https://www.arcgis.com/apps/webappviewer/index.html?id=f23f04b0f7ac42e987099444b2f46bc2>, Accessed May 16, 2022

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>III. AIR QUALITY</b> - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>SUBSTANTIATION:</b> <i>(Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable):</i>				
<b><i>San Bernardino Countywide Plan; Cactus Club Air Quality and Greenhouse Gas Study, dated 12/1/2022 and updated 8/11/2023; CalEEMod Output</i></b>				

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

The proposed Project site is located within the Mojave Desert Air Basin (MDAB). The MDAQMD includes the desert portion of the San Bernardino County. The MDAQMD is responsible for controlling emissions primarily from stationary sources within the MDAQMD and also maintains air quality monitoring stations to document historical and current levels of air quality within the District. The MDAQMD is also responsible for developing, updating, and implementing the Ozone Attainment Plan (MDAQMD 2004) which establishes a plan to implement, maintain, and enforce a program of emission control measures to attain and maintain the federal ozone air quality standards. Attainment plans prepared by the various air pollution control districts throughout the state are used to develop the SIP for the State of California. The proposed Project is located within the MDAQMD and, thus, is subject to the rules and regulations of the MDAQMD.

The MDAQMD and SCAG are responsible for formulating and implementing the air quality attainment plan (AQAP) for the Basin. Regional AQAPs were adopted in 1991, 1994, and 1997. The following SIP and AQAP are the currently approved plans for the Basin region:

- 1997 SIP for O3, PM10, and NO2
- 1995 Mojave Desert Planning Area Federal PM10 Attainment Plan; no formal action by the EPA

The MDAQMD completed the MDAQMD 2004 Ozone Attainment Plan (State and federal) in April 2004, which has been approved by the EPA. The following includes, but is not limited to, the MDAQMD rules that are applicable to the proposed Project:

**Rule 201 (Permit to Construct)** requires written authorization to build, erect, install, alter, or replace any equipment, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants. With respect to the proposed Project, this rule would apply to any stationary equipment that is not otherwise exempt from this rule as an insignificant source of air pollutants (see Rule 219).

**Rule 203 (Permit to Operate)** requires written authorization to operate any equipment, the use of which may cause the issuance of air pollutants, or the use of which may reduce or control the issuance of air contaminants. With respect to the proposed Project, this rule would apply to any stationary equipment that is not otherwise exempt from this rule as an insignificant source of air pollutants (see Rule 219).

**Rule 219 (Equipment Not Requiring A Written Permit Pursuant to Regulation II)** specifies stationary sources that the MDAQMD considers to be insignificant sources of air pollutants that are exempt from **Rules 201 and 202**. With respect to the proposed Project, the following sources would be exempt from permit requirements:

- Comfort air conditioning or ventilating systems which are not designed or used to remove air contaminants generated by, or released from, specific equipment units;
- Space heaters;
- Equipment used exclusively for steam cleaning;

**Rule 402 (Nuisance).** This rule specifies that a person may not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

**Rule 403.2 (Fugitive Dust Control for the Mojave Desert Planning Area).** This rule requires owners or operators of a construction or demolition fugitive dust source to implement the fugitive dust control measures listed in Rule 403.2. These measures include periodic watering for short-term stabilization of disturbed surface area to minimize visible dust emissions, stabilization of graded surfaces if no development is planned within 30 days, reducing non-essential earth moving activity under high wind conditions, and more. In addition, for sites over 100 acres such as the proposed Project, the control measures in Rule 403.2 must also be implemented. The additional control measures include preparing and submitting a dust control plan to the MDAQMD prior to commencing earth-moving activities. The dust control plan must describe all applicable dust control measures that will be implemented at the Project site. Other additional control measures to minimize visible fugitive dust for sites over 100 acres include

stabilizing access routes, maintaining natural topography to the extent possible, and constructing paved roads and parking lots first where feasible.

**Rule 1113 (Architectural Coatings).** This rule requires manufacturers, distributors, and end-users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

**Rule 1160 (Internal Combustion Engines).** This rule establishes limits for VOC, NO<sub>x</sub>, and CO emissions associated with stationary internal combustion engines. However, the provisions of the rule do not apply to the following engines:

- All internal combustion engines rated at less than 500 brake horsepower;
- All internal combustion engines operated less than 100 hours within any continuous four consecutive calendar quarter period; and
- Emergency internal combustion engines.

**Regulation XIII (New Source Review).** For new and modified stationary sources subject to permitting requirements (see Rule 201), this series of rules prescribes the use of Best Available Control Technology and the provision of emission offsets (i.e., mitigation) for equipment whose emissions exceed specified thresholds. The applicability of these requirements would be determined upon submittal of an application for permit to construct under Rule 201.

According to the MDAQMD, a project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable MDAQMD rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and it is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan).

*Violation of Air Quality Standards or Substantial Contribution to Air Quality Violations.* The MDAQMD currently recommends that projects with construction-related and/or operational emissions that exceed any of the following emissions thresholds should be considered significant:

- 25 tons per year or 137 pounds per day of VOC
- 25 tons per year or 137 pounds per day of NO<sub>x</sub>
- 100 tons per year or 548 pounds per day of CO
- 25 tons per year or 137 pounds per day of Sox
- 15 tons per year or 82 pounds per day of PM<sub>10</sub>
- 12 tons per year or 65 pounds per day of PM<sub>2.5</sub>

As shown in Table 1, the MDAQMD has identified thresholds of 100,000 tons per year or 548,000 pounds per day of CO<sub>2</sub>e emissions for individual projects.

**Table 1: MDAQMD Air Quality Significance Thresholds**

Pollutant	Annual Thresholds (tons/year)	Daily Thresholds (pounds/day)
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<b>NOx</b>	<b>25</b>	<b>137</b>
<b>VOC</b>	<b>25</b>	<b>137</b>
<b>PM10</b>	<b>15</b>	<b>82</b>
<b>PM2.5</b>	<b>15</b>	<b>82</b>
<b>SOx</b>	<b>25</b>	<b>137</b>
<b>CO</b>	<b>100</b>	<b>548</b>
<b>Lead</b>	<b>0.6</b>	<b>3</b>
<b>Greenhouse Gases (CO2e)</b>	<b>100,000</b>	<b>548,000</b>

The construction emissions for the Project would not exceed MDAQMD's daily emissions thresholds as demonstrated in Table 2, and therefore would be considered less than significant.

**Table 2 – Regional Significance – Construction Emissions (pounds/day)**

<b>Activity</b>	<b>Pollutant Emissions (pounds/day)</b>					
	<b>VOC</b>	<b>NOx</b>	<b>CO</b>	<b>SO2</b>	<b>PM10</b>	<b>PM2.5</b>
2023	4.04	39.90	36.60	0.10	9.70	5.65
2024	8.28	11.40	13.70	0.02	0.69	0.50
<b>Maximum</b>	<b>8.28</b>	<b>39.90</b>	<b>36.60</b>	<b>0.10</b>	<b>9.70</b>	<b>5.65</b>
MDAQMD Thresholds	137	137	548	137	82	65
Exceeds Thresholds	No	No	No	No	No	No
Notes: <sup>1</sup> Source: CalEEMod Version 2022.1 <sup>2</sup> On-site emissions from equipment operated on-site that is not operated on public roads. On-site grading PM-10 and PM-2.5 emissions show mitigated values for fugitive dust for compliance with MDAQMD Rule 403. <sup>3</sup> Off-site emissions from equipment operated on public roads. <sup>4</sup> Construction, architectural coatings and paving phases may overlap.						

The operations-related criteria air quality impacts created by the proposed Project have been analyzed through the use of CalEEMod model. The operating emissions were based on year 2025, which is a conservative estimate of the opening year for the Project. The summer and winter emissions created by the proposed Project's long-term operations were calculated and the highest emissions from either summer or winter are summarized in Table 3.

**Table 3 – Regional Significance – Operational Emissions (tons/year)**

	<b>Pollutant Emissions (tons/year)<sup>1</sup></b>
--	--

Activity	VOC	NOx	CO	SO2	PM10	PM2.5
Area Sources <sup>2</sup>	0.63	0.00	0.00	0.00	0.00	0.00
Energy Usage <sup>3</sup>	0.01	0.21	0.18	0.00	0.02	0.02
Mobile Sources <sup>4</sup>	1.29	1.94	16.70	0.04	3.09	0.81
<b>Total Emissions</b>	<b>1.93</b>	<b>2.15</b>	<b>16.88</b>	<b>0.04</b>	<b>3.11</b>	<b>0.82</b>
MDAQMD Annual Thresholds	25	25	100	25	15	12
Exceeds Threshold?	No	No	No	No	No	No
Notes: <sup>1</sup> Source: CalEEMod Version 2022.1 <sup>2</sup> Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment. <sup>3</sup> Energy usage consists of emissions from on-site natural gas usage. <sup>4</sup> Mobile sources consist of emissions from vehicles and road dust.						

The Project site is located within unincorporated San Bernardino County. The proposed Project will be a hotel with 20 rooms and 3 suites. Per the County's Land Use Zoning map, the current land use zoning is Neighborhood Commercial. As shown by the results of this air analysis, the Project's emissions do not exceed any MDAQMD thresholds during either short-term construction or long-term operation of the Project. Therefore, as the Project is a commercial use, the proposed Project is not anticipated to exceed the Attainment Plan assumptions for the Project site.

Based on the above, the proposed Project would not conflict with implementation of the MDAQMD Attainment Plans, impacts are considered to be less than significant.

#### Less Than Significant Impact

- b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?*

Cumulative projects include local development as well as general growth within the Project area. However, as with most development, the greatest source of emissions is from mobile sources, which travel well out of the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered, would cover an even larger area. Accordingly, the cumulative analysis for the Project's air quality must be generic by nature.

**Table 4: Attainment Status of MDAQMD – Portion of Mojave Desert Air Basin**

Pollutant	Federal Designation	State Designation
1-Hour Ozone	--	Nonattainment
8-Hour Ozone	Nonattainment	Nonattainment
CO	Unclassified/Attainment	Attainment
PM10	Nonattainment	Nonattainment
PM2.5	Unclassified/Attainment	Nonattainment

Lead	Unclassified/Attainment	Attainment
SO2	Unclassified/Attainment	Attainment
NO2	Unclassified/Attainment	Attainment

Notes:

<sup>1</sup> MDAQMD = Mojave Desert Air Quality Management District

<sup>2</sup> Source: California Air Resources Board (2019)

(<https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations>) and MDAQMD (<https://www.mdaqmd.ca.gov/air-quality/mdaqmd-attainment-status>).

The Project area is out of attainment for both ozone and particulate matter. Construction and operation of cumulative projects will further degrade the air quality of the Mojave Desert Air Basin. The greatest cumulative impact on the quality of regional air cell will be the incremental addition of pollutants mainly from increased traffic from residential, commercial, and industrial development and the use of heavy equipment and trucks associated with the construction of these Projects. Air quality will be temporarily degraded during construction activities that occur separately or simultaneously. However, in accordance with the MDAQMD methodology, projects that do not exceed the MDAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact.

Project operations would generate emissions of NOx, ROG, CO, PM10, and PM2.5, which would not exceed the MDAQMD regional thresholds, as shown above in Tables 2 and 3, and would not be expected to result in ground level concentrations that exceed the NAAQS or CAAQS. Therefore, operation of the Project would not result in a cumulatively considerable net increase for non-attainment of criteria pollutants or ozone precursors. As a result, the Project would result in a less than significant cumulative impact for operational emissions.

### Less Than Significant Impact

*c) Expose sensitive receptors to substantial pollutant concentrations?*

Sensitive receptors are considered land uses or other types of population groups that are more sensitive to air pollution than others due to their exposure. Sensitive population groups include children, the elderly, the acutely and chronically ill, and those with cardio-respiratory diseases. For CEQA purposes, a sensitive receptor would be a location where a sensitive individual could remain for 24-hours or longer, such as residencies, hospitals, and schools (etc.).

The closest existing sensitive receptors (to the site area) are the residential land uses located 130 feet to the south, 350 feet to the west, and 500 feet to the southeast. As shown above in Tables 2 and 3, the emissions from construction and operations of the proposed Project will not exceed the established thresholds and is therefore considered less than significant.

MDAQMD recommends avoiding siting new sensitive land uses such as residences, schools, daycare centers, playgrounds, or medical facilities within 1,000 feet of a major transportation project (50,000 or more vehicles per day).

The proposed Project involves the construction of a hotel and would not be considered a sensitive receptor. The Project is not considered a major transportation project. Per the traffic assessment for the Project, the Project is only anticipated to generate approximately 160 daily vehicle trips

(TJW Engineering, 2022), which is below the threshold of 50,000 vehicle trips per day as established by the MDAQMD.

Therefore, as the proposed Project is not a sensitive receptor and does not generate more than 50,000 vehicles per day, a project-specific health risk assessment is not required or warranted. Impacts to nearby sensitive receptors are considered to be less than significant.

### Less Than Significant Impact

- d) *Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?*

#### Construction

Potential sources that may emit odors during construction activities include the application of materials such as asphalt pavement. The objectionable odors that may be produced during the construction process are of short-term in nature and the odor emissions are expected cease upon the drying or hardening of the odor producing materials. Diesel exhaust and VOCs would be emitted during construction of the Project, which are objectionable to some; however, emissions would disperse rapidly from the Project site and therefore should not reach an objectionable level at the nearest sensitive receptors. Due to the short-term nature and limited amounts of odor producing materials being utilized, no significant impact related to odors would occur during construction of the proposed Project.

#### Operations

Potential sources that may emit odors during the on-going operations of the proposed Project would include odor emissions from vehicular emissions and trash storage areas. As the project is that of a commercial use, no significant impact related to odors would occur during the on-going operations of the proposed Project.

### Less Than Significant Impact

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>IV. BIOLOGICAL RESOURCES - Would the project:</b>				

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

- |    |   |                          |                                     |                          |                                     |
|----|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| b) | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?                             | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?                       | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| f) | Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**SUBSTANTIATION:** (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database ☒):

**San Bernardino Countywide Plan; Submitted Project Materials; General Biological Assessment, conducted by Jennings Environmental, LLC. January 2023**

- a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

A Biological Resources Assessment (BRA), dated February 2023, was prepared for the proposed Project by Jennings Environmental, LLC (Jennings). Jennings conducted a data search for information on plant and wildlife species known occurrences within the vicinity of the Project. This review included biological texts on general and specific biological resources, and those resources considered to be sensitive by various wildlife agencies, local governmental agencies and interest groups. Information sources included but are not limited to the following:

- California Natural Diversity Database (CNDDB) managed by CDFW (CDFW 2023)
- USFWS Critical Habitat Mapper (USFWS 2023)
- California Native Plant Society's Electronic Inventory (CNPSEI) of Rare and Endangered Vascular Plants of California (CNPS 2023), the issuer of the California Rare Plant Rank.
- U.S. Fish and Wildlife (USFWS) threatened and endangered species occurrence GIS overlay;
- USGS National Map;
- Calwater Watershed Maps
- USFWS Designated Critical Habitat Maps
- San Bernardino County Development Code, 88.01.060 Desert Native Plant Protection
- San Bernardino County Biotic Resources Layer

Jennings biologist, Gene Jennings, conducted the general reconnaissance survey within the Project site to identify the potential for the occurrence of special status species, vegetation communities, or habitats that could support special status wildlife species. The surveys were conducted on foot, throughout the Project site between 0955 and 1130 hours on February 2, 2023. Weather conditions during the survey included temperatures ranging from 56.3 to 60.2 degrees Fahrenheit, with clear skies, no precipitation, and 0.0 to 1.1 mile-per-hour winds.

## Results

### *Special Status Species*

#### *Desert Tortoise (Gopherus agassizii)*

The desert tortoise is a State and federally listed threatened species. Throughout its range, it is threatened by habitat loss, domestic grazing, predation, collections, and increased mortality rates. The desert tortoise is typically found in creosote bush scrub. They are most often found on level or sloped ground where the substrate is firm but not too rocky. Tortoise burrows are typically found at the base of shrubs, in the sides of washes and hillsides. Because a single tortoise may have many burrows distributed throughout its home range, it is not possible to predict the exact numbers of individuals on a site based upon burrow numbers.

In 1992 the US Bureau of Land Management issued the *California Statewide Desert Tortoise Management Policy* which included categorizing habitat into three levels of classification. The management goal for Category I areas is to maintain stable, viable populations and to increase the population where possible. The management goal for Category II areas is to maintain stable, viable populations. The management goal for Category III areas is to limit population declines to the extent feasible. In April 1993, the BLM amended the CDCA plan to delineate these three categories of desert tortoise habitat on public lands. Although habitat categories apply only to public lands administered by the BLM, regulatory agencies typically determine habitat compensation ratios based on the nearest BLM habitat categories. With the adoption of the West Mojave Plan, all lands that are outside Desert Wildlife Management Areas, including the subject parcel, are characterized as Category 3 Habitat, which is the lowest priority management area for viable populations of the desert tortoise.

As concluded in the BRA, the habitat on site is marginally suitable for desert tortoise. Recent occurrences in the vicinity from 2008 are documented in the CNDDDB Search. However, no sign of desert tortoise (i.e. burrows, tracks, or pellets) was observed during the survey. Additionally, no desert tortoise individuals were observed.

Nevertheless, since the site is marginally suitable for the desert tortoise, pre-construction surveys would be completed pursuant to Mitigation Measure **(MM) BIO-1** prior to ground disturbance activities. These surveys should be conducted by a qualified biologist and at an appropriate time of day/year to observe signs of desert tortoise.

**MM BIO-1** Because the site is marginally suitable, pre-construction surveys will be required for this species. These surveys should be conducted by a qualified biologist and at an appropriate time of day/year to observe signs of desert tortoise using the 2018 Desert Tortoise Survey Protocol from the USFWS.

*Burrowing Owl (Athene cunicularia)*

The burrowing owl (BUOW) is a state and federal SSC. This owl is a mottled, brownish and sand-colored, dove-sized raptor, with large, yellow eyes, a rounded head lacking ear tufts, white eyebrows, and long legs compared to other owl species. It is a ground-dwelling owl typically found in arid prairies, fields, and open areas where vegetation is sparse and low to the ground. The BUOW is heavily dependent upon the presence of mammal burrows, with ground squirrel burrows being a common choice, in its habitat to provide shelter from predators, inclement weather, and to provide a nesting place. They are also known to make use of human-created structures, such as cement culverts and pipes, for burrows.

BUOW spends a great deal of time standing on dirt mounds at the entrance to a burrow or perched on a fence post or other low to the ground perch from which they hunt for prey. BUOW frequently hunt by hovering in place above the ground and dropping on their prey from above. They feed primarily on insects such as grasshoppers, June beetles, and moths, but will also take small rodents, birds, and reptiles. They are active during the day and night but are considered a crepuscular owl; generally observed in the early morning hours or at twilight. The breeding season for BUOW is February 1 through August 31. Up to 11, but typically 7 to 9, eggs are laid in a burrow, abandoned pipe, or other subterranean hollows where incubation is complete in 28-30 days. Young BUOW fledges in 44 days. The BUOW is considered a migratory species in portions of its range, which includes western North America from Canada to Mexico, and east to Texas and Louisiana. BUOW populations in California are considered to be sedentary or locally migratory.

Throughout its range, the BUOW is vulnerable to habitat loss, predation, vehicular collisions, and destruction of burrow sites, and the poisoning of ground squirrels,. BUOW has disappeared from significant portions of their range in the last 15 years and, overall, nearly 60% of the breeding groups of owls known to have existed in California during the 1980s had disappeared by the early 1990s. The BUOW is not listed under the state or federal Endangered Species Act but is considered both a federal and state Species of Special Concern. The BUOW is a migratory



bird protected by the international treaty under the Migratory Bird Treaty Act of 1918 and by State law under the California Fish and Game Code.

**Findings:** Based on the February 2023 field survey, the site does not contain suitable habitat for this species. No burrowing owls were observed during the site visit. No portion of the Project site showed any evidence of past or present BUOW activity. No suitable burrows, feathers, whitewash, or castings were found. Additionally, the site does not contain a suitable burrow surrogate species (i.e., California ground squirrel (*Otospermophilus beecheyi*)). This species is considered absent from the Project site and no further surveys are required.

Desert Kit Fox (*Vulpes macrotis*)

The desert kit fox is not federally- or state-listed, but is considered a species of local concern by the County of Los Angeles. It is an uncommon to rare permanent resident in arid habitats within southern California. Kit foxes are threatened by a number of human activities, including poaching, pesticide and rodenticide use, and direct poisoning, as well as heavy agricultural and urban development. Desert kit foxes occur in the desert and other arid habitats, including sagebrush flats, creosote scrub, and annual grassland habitats, and other areas with scattered brush, scrub, and shrubs. They are an important predator of small mammals, preying on black-tailed jackrabbits (*Lepus californicus*), desert cottontails (*Sylvilagus audubonii*), kangaroo rats, ground squirrels, and other rodents, insects, reptiles, birds, and bird eggs. Limited vegetation may be taken. Desert kit foxes excavate burrows in loose-textured sandy or loamy soils for shelter, pupping, and as an escape from extreme heat and cold. Open, level areas are preferred for burrowing. Man-made structures and infrastructure, including culverts and pipes, also may be used for denning where suitable friable soils are not present.

**Findings:** The site is not suitable for this species. This species was not observed during the survey. No burrows or suitable size or shape we observed and no evidence of this species were observed either (scat, predation remains, tracks, etc.). This species is considered absent from the Project site and no further surveys are required.

American Badger (*Taxidea taxus*)

The American badger is a CDFW Species of Special Concern. Badgers are uncommon, permanent residents throughout California, and occur most commonly in open stages of shrub, woodland, and herbaceous habitats. They are tenacious diggers and occur where friable soils support denning and burrowing activities. They are active year-round, and most often nocturnal, although they may be active during the day. They prey upon fossorial rodents, especially California ground squirrels and pocket gophers; rats and mice, some reptiles, insects, eggs, birds, and carrion also may be taken. Breeding typically occurs in the summer and early fall, with pups being born the following March or April in burrows dug in relatively dry, often sandy soil. American badgers are threatened primarily by indiscriminate trapping, agricultural conversion, and the eradication of ground squirrels and other fossorial rodents that comprise the majority of their prey base.

**Findings:** The site is not suitable for this species. This species was not observed during the survey. No burrows or suitable size or shape we observed and no evidence of this

species were observed either (scat, predation remains, tracks, etc.). This species is considered absent from the Project site and no further surveys are required.

Additionally, since there is some habitat within the Project site and adjacent area that is suitable for nesting birds in general, **MM BIO-2** would be implemented.

**MM BIO-2** Nesting bird nesting season generally extends from February 1 through September 15 in southern California and specifically, March 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage, and expected types, intensity, and duration of the disturbance. The nests and buffer zones shall be field-checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

With implementation of Mitigation Measures **BIO-1** and **BIO-2**, the proposed Project would not have a substantial adverse effect on any species identified as a candidate, sensitive or special status species.

#### **Less than Significant with Mitigation**

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*

#### **Jurisdictional Drainages and Wetlands**

##### **Waters of the United States and Waters of the State**

The USACE has the authority to permit the discharge of dredged or fill material in Waters of the U.S. under Section 404 CWA. While the Regional Water Quality Board has authority over the discharge of dredged or fill material in Waters of the State under Section 401 CWA as well as the Porter-Cologne Water Quality Control Act. The Project area was surveyed with 100 percent visual coverage and no drainage features were present on site. As such, the subject parcel does not contain any wetlands, waters of the U.S., or Waters of the State.

##### **Fish and Game Code Section 1602 - State Lake and/or Streambed**

The CDFW asserts jurisdiction over any drainage feature that contains a definable bed and bank or associated riparian vegetation. The Project area was surveyed with 100 percent visual coverage and no definable bed or bank features exist on the Project site. As such, the subject parcel does not contain any areas under CDFW jurisdiction.

There are no streams, channels, washes, or swales that meet the definitions of Section 1600 of the State of California Fish and Game Code (FGC) under the jurisdiction of the CDFW, Section 401 ("Waters of the State" ) of the Clean Water Act (CWA) under the jurisdiction of the Regional Water Quality Control Board (RWQCB), or "Waters of the United States" (WoUS) as defined by Section 404 of the CWA under the jurisdiction of the U.S. Army Corps of Engineers (Corps) within the subject parcel. Therefore, no permit from any regulatory agency will be required. Therefore there are no impacts associated with any riparian habitat or sensitive community.

**No Impact**

- c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The Corps regulates discharge of dredge or fill materials into waters of the United States. These watersheds include wetlands and non-wetland bodies of water that meet specific criteria. CDFW regulates wetland areas only if those wetlands are part of a river, stream or lake as defined by CDFW. The Project Site does not have any drainages or areas that support wetlands, as stated in the BRA. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**No Impact**

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

According to the California Essential Habitat Connectivity Project <sup>4</sup>, the Project Site is not mapped within an area for wildlife movement. Additionally, the site is not within a wildlife linkage as mapped by Mojave Desert Land Trust <sup>5</sup>. The proposed Project is also not within a Habitat Conservation Plan. Therefore, the proposed Project will not have an impact on any current wildlife corridors or habitat conservation plans.

**No Impact**

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**Protected Desert Native Plant Species**

The California Desert Native Plants Act regulates the taking of plant species for commercial purposes. It also regulates the permitting process for the taking of desert plant species, making it unlawful for "any Person to destroy, dig up, mutilate or harvest any living native plant, or the living or dead parts of any native plant, except its fruit, without obtaining written permission

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<sup>4</sup> <https://data.cnra.ca.gov/dataset/natural-areas-small-california-essential-habitat-connectivity-cehc-ds1073>, Accessed May 2022

<sup>5</sup> <https://www.mdlt.org/>, Accessed May 2022

from the landowner and a permit . . .” (State of California 1982, Division 23, Chapter 5, Section 801112)<sup>6</sup>.

The site does contain Silver cholla (*Cylindropuntia echinocarpa*), which are covered species under the California Desert Native Plants Act. As such, the following mitigation measure shall be put in place:

**MM BIO-3** Flagging and relocation to a nursery or suitable other entity shall occur prior to construction, for any species that is protected by the California Desert Native Plant Act that will be impacted. Any construction that removes any protected plant species will require a permit from the agricultural commissioner or local sheriff in the county where protected plants will be removed.

Development of the proposed Project could have potential to conflict with the Desert Native Plant Act. Therefore, with the implementation of **MM BIO-3**, the impacts will be less than significant.

#### Less than Significant with Mitigation

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?*

The Project site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan as identified in the California Department of Fish and Wildlife’s California Natural Community Conservation Plans Map. No impacts are identified or are anticipated and no mitigation measures are required.

#### No Impact

**Therefore, no significant adverse impacts are identified or anticipated with the implementation of mitigation measures.**

Issues		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>V. CULTURAL RESOURCES - Would the project:</b>					
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>6</sup> <https://wildlife.ca.gov/Conservation/Plants/CA-Desert-Plant-Act>, Accessed May 2022

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those outside of formal cemeteries?                                   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

<b>SUBSTANTIATION:</b> (Check if the project is located in the Cultural <input type="checkbox"/> or Paleontologic <input type="checkbox"/> Resources overlays or cite results of cultural resource review): <b>Historical/Archeological Resources Survey Report, March 8, 2023 (CRM Tech); South Central Coast Information Center, California State University Fullerton, Department of Anthropology-MH 426</b>
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- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

The historical/archaeological resources records search conducted during the preparation of the Historical/Resources Survey Report prepared by CRM Tech, was provided by the South-Central Coastal Information Center (SCCIC) of the California Historical Resources Information System on October 13, 2022. Located on the campus of California State University, Fullerton, the SCCIC is the State of California's official cultural resource records repository for the County of San Bernardino. The records search entailed a systematic examination of the SCCIC's digital maps, records, and databases for previously identified cultural resources and existing cultural resources reports within a one-mile radius of the Project area.

On September 27, 2022, CRM TECH submitted a written request to the State of California Native American Heritage Commission (NAHC) for a records search in the commission's Sacred Lands File. In the meantime, CRM TECH contacted the nearby Twenty-Nine Palms Band of Mission Indians and Morongo Band of Mission Indians by e-mail for additional information on potential Native American cultural resources in the Project vicinity and to invite the Twenty-Nine Palms Band to participate in the upcoming archaeological fieldwork. Follow-up correspondence to arrange for tribal participation in the field survey were later carried out with the Twenty-Nine Palms Band between October 18 and 24, 2022.

On October 25, 2022, CRM TECH archaeologist Michael D. Richards carried out the field survey of the Project area. The survey was completed at an intensive level along parallel north-south transects spaced 15 meters (approximately 50 feet) apart. In this way, the entire Project area was systematically and carefully examined for any evidence of human activities dating to the prehistoric or historic period (i.e., 50 years ago or older). Ground visibility was good (80%) throughout the Project area due to sparse vegetation covering the ground surface.

#### Results and Findings

According to SCCIC records, the Project area had not been surveyed for cultural resources prior to this study, and no historical/archaeological resources had been recorded within or adjacent to its boundaries. Within the one-mile scope of the records search, SCCIC records identify 15 previously recorded cultural resources, including one prehistoric site and 14 historic-period

sites. The majority of these sites consist of segments of various roads. Two of these roads, namely Twentynine Palms Highway (Site 36-010525) and Mile Square Road (Site 36-024821), are located outside but adjacent to the Project boundaries. None of the other known cultural resources were found in the immediate vicinity of the Project area.

In summary of the research results presented above, no potential “historical resources” were previously recorded within the Project area, and none were encountered during the present survey. A few scattered domestic refuse items, primarily beer cans and glass bottle fragments from the late historic period, were noted on the surface within the Project area during the field survey, with no indication of any substantial artifact concentration. Such isolated refuse, generally the result of incidental trash discarding, are virtually ubiquitous in populated areas and along major transportation corridors. Without any documented historical background, and in the absence of an exceptional quantity or quality of artifacts, these refuse items demonstrate little potential for historic significance. Therefore, they are not considered potential “historical resources” and require no further study.

Outside but adjacent to the Project boundaries, the segments of Twentynine Palms Highway and Mile Square Road were previously recorded into the California Historical Resources Inventory as Sites 36-010525 and 36-024821, respectively. As working components of the modern transportation infrastructure, however, these roadways do not retain sufficient historical character to be considered potential “historical resources” due to upgrading and maintenance during the modern period. Furthermore, the proposed Project has no potential to affect the overall appearance and character of the roads. Therefore, they, too, require no further consideration in the CEQA compliance process for this Project. Based on these findings, the present study concludes that no “historical resources” will be impacted by the proposed Project.

### **No Impact**

- b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Historical background research for this study was conducted by CRM TECH archaeologist Frank Raslich. Sources consulted during the research included published literature in local history, historic maps of the Twentynine Palms, and aerial photographs of the Project vicinity. Among the maps consulted for this study were the U.S. General Land Office’s (GLO) land survey plat maps dated 1856-1914 and the U.S. Geological Survey’s (USGS) topographic maps dated 1955-1995, which are accessible at the websites of the U.S. Bureau of Land Management and the USGS. The aerial photographs, taken in 1970-2020, are available at the Nationwide Environmental Title Research (NETR) Online website and through the Google Earth software.

Based on the results of the records search and field survey was conducted, no prehistoric resources were documented to occur and none were observed during the survey. However, resources could be uncovered during site grading or excavation activities and therefore **MM CR-1** will be implemented.

**MM CR-1** For adequate coverage and the protection of possibly significant buried resources and tribal cultural resources, a qualified archaeologist shall be retained by the applicant to monitor all ground-disturbing construction activities, included but not limited to site preparation, grading and excavation. The applicant and archaeologist will agree on a monitoring schedule based on the necessary days of ground-disturbance. In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period. If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact any tribes claiming cultural affiliation to the area. If requested by the Tribe(s), the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g., avoidance, preservation, return of artifacts to tribe, etc.). If avoidance is not possible, an avoidance plan will be prepared and implemented based on consultation between the archaeologist and tribes.

#### **Less than Significant with Mitigation**

*c) Disturb any human remains, including those outside of formal cemeteries?*

Construction activities, particularly grading, could potentially disturb human remains interred outside of a formal cemetery. Field surveys conducted as part of the Cultural Resource Investigation did not encounter any evidence of human remains. The Project site is not located on or near a known cemetery. However, to insure adequate and compliant management of any buried remains that may be identified during Project development, the following mitigation measure is required as a condition of Project approval to reduce any potential impacts to a less than significant level.

With implementation of **MM CR-2** the Proposed Project would not have a significant impact on human remains.

**MM CR-2** If evidence of human remains is identified, the County Coroner will be contacted immediately and permitted to inspect the remains. San Bernardino County and the Project Applicant shall also be informed of the discovery. The Coroner will determine if the bones are historic/archaeological or a modern legal case. The Coroner will immediately contact the Native American Heritage Commission (NAHC) in the event that remains are determined to be human and of Native American origin, in accordance with California Public Resources Code Section § 5097.98.

All discovered human remains shall be treated with respect and dignity. California state law (California Health & Safety Code § 7050.5) and federal law and regulations ([Archaeological Resources Protection Act (ARPA) 16 USC 470 & 43 CFR 7], [Native American Graves Protection & Repatriation Act (NAGPRA) 25 USC 3001 & 43 CFR 10] and [Public Lands, Interior 43 CFR 8365.1-7]) require a defined protocol if human remains are discovered in the State of California regardless if the remains are modern or archaeological.



### Less than Significant with Mitigation

Therefore, no significant adverse impacts are identified or anticipated with the implementation of mitigation measures.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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#### VI. ENERGY – Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**SUBSTANTIATION:** *California Energy Consumption Database; MD Acoustics Air Quality, Greenhouse Gass, and Energy Impact Study, 8/11/2023 (included ; Title 24 Building Energy Efficiency Standards; Submitted Project Materials*

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

### Construction Energy Demand

#### Construction Equipment Electricity Usage Estimates

Electrical service will be provided by Southern California Edison (SCE). Based on the 2017 National Construction Estimator, the typical power cost per 1,000 square feet of building construction per month is estimated to be \$2.32. The Project plans to develop the site with a 20-room hotel over the course of approximately 13 months. Based on Table 5, the total power cost of the on-site electricity usage during the construction of the proposed Project is estimated to be approximately \$799.24. As shown in Table 5, the total electricity usage from Project construction related activities is estimated to be approximately 14,532 kWh.

**Table 5: Project Construction Power Cost and Electricity Usage**

<u>Power Cost (per 1,000 square foot of building per month of construction)</u>	<u>Total Building Size (1,000 Square Foot)<sup>1</sup></u>	<u>Construction Duration (months)</u>	<u>Total Project Construction Power Cost</u>
\$2.32	26.50	13	\$799.24

<u>Cost per kWh</u>	<u>Total Project Construction Electricity Usage (kWh)</u>
<u>\$0.06</u>	<u>14,532</u>

\* Assumes the project will be under the GS-1 General Service rate under SCE.

### Construction Equipment Fuel Estimates

Using the CalEEMod data input, the Project's construction phase would consume electricity and fossil fuels as a single energy demand, that is, once construction is completed their use would cease. CARB's 2017 Emissions Factors Tables show that on average aggregate fuel consumption (gasoline and diesel fuel) would be approximately 18.5 hp-hr-gal.<sup>11</sup> As presented in Table 6 below, Project construction activities would consume an estimated 28,503 gallons of diesel fuel.

**Table 6: Construction Equipment Fuel Consumption Estimates**

<u>Phase</u>	<u>Number of Days</u>	<u>Offroad Equipment Type</u>	<u>Amount</u>	<u>Usage Hours</u>	<u>Horse Power</u>	<u>Load Factor</u>	<u>HP hrs/day</u>	<u>Total Fuel Consumption (gal diesel fuel)<sup>1</sup></u>
<u>Site Preparation</u>	<u>5</u>	<u>Rubber Tired Dozers</u>	<u>3</u>	<u>8</u>	<u>367</u>	<u>0.4</u>	<u>3,523</u>	<u>952</u>
	<u>5</u>	<u>Tractors/Loaders/Backhoes</u>	<u>4</u>	<u>8</u>	<u>84</u>	<u>0.37</u>	<u>995</u>	<u>269</u>
<u>Grading</u>	<u>8</u>	<u>Excavators</u>	<u>1</u>	<u>8</u>	<u>36</u>	<u>0.38</u>	<u>109</u>	<u>47</u>
	<u>8</u>	<u>Graders</u>	<u>1</u>	<u>8</u>	<u>148</u>	<u>0.41</u>	<u>485</u>	<u>210</u>
	<u>8</u>	<u>Rubber Tired Dozers</u>	<u>1</u>	<u>8</u>	<u>367</u>	<u>0.4</u>	<u>1,174</u>	<u>508</u>
	<u>8</u>	<u>Tractors/Loaders/Backhoes</u>	<u>3</u>	<u>8</u>	<u>84</u>	<u>0.37</u>	<u>746</u>	<u>323</u>
<u>Building Construction</u>	<u>230</u>	<u>Cranes</u>	<u>1</u>	<u>7</u>	<u>367</u>	<u>0.29</u>	<u>745</u>	<u>9,262</u>
	<u>230</u>	<u>Forklifts</u>	<u>3</u>	<u>8</u>	<u>82</u>	<u>0.2</u>	<u>394</u>	<u>4,893</u>
	<u>230</u>	<u>Generator Sets</u>	<u>1</u>	<u>8</u>	<u>14</u>	<u>0.74</u>	<u>83</u>	<u>1,030</u>
	<u>230</u>	<u>Tractors/Loaders/Backhoes</u>	<u>3</u>	<u>7</u>	<u>84</u>	<u>0.37</u>	<u>653</u>	<u>8,114</u>
	<u>230</u>	<u>Welders</u>	<u>1</u>	<u>8</u>	<u>46</u>	<u>0.45</u>	<u>166</u>	<u>2,059</u>
<u>Paving</u>	<u>18</u>	<u>Cement and Mortar Mixers</u>	<u>2</u>	<u>6</u>	<u>10</u>	<u>0.56</u>	<u>67</u>	<u>65</u>
	<u>18</u>	<u>Pavers</u>	<u>1</u>	<u>8</u>	<u>81</u>	<u>0.42</u>	<u>272</u>	<u>265</u>
	<u>18</u>	<u>Rollers</u>	<u>2</u>	<u>6</u>	<u>36</u>	<u>0.38</u>	<u>164</u>	<u>160</u>
	<u>18</u>	<u>Tractors/Loaders/Backhoes</u>	<u>1</u>	<u>8</u>	<u>84</u>	<u>0.37</u>	<u>249</u>	<u>242</u>
<u>Architectural Coating</u>	<u>18</u>	<u>Air Compressors</u>	<u>1</u>	<u>6</u>	<u>37</u>	<u>0.48</u>	<u>107</u>	<u>104</u>
<b><u>CONSTRUCTION FUEL DEMAND (gallons of diesel fuel)</u></b>								<b><u>28,503</u></b>

**Notes:**

<sup>1</sup>Using Carl Moyer Guidelines Table D-21 Fuel consumption rate factors (bhp-hr/gal) for engines less than 750 hp. (Source: [https://www.arb.ca.gov/msprog/moyer/guidelines/2017gl/2017\\_gl\\_appendix\\_d.pdf](https://www.arb.ca.gov/msprog/moyer/guidelines/2017gl/2017_gl_appendix_d.pdf))

### Construction Worker Fuel Estimates

It is assumed that all construction worker trips are from light duty autos (LDA) along area roadways. With respect to estimated VMT, the construction worker trips would generate an estimated 58,598 VMT. Vehicle fuel efficiencies for construction workers were estimated in the air quality and greenhouse gas analysis using information generated using CARB's EMFAC model. Table 7 shows that an estimated 1,893 gallons of fuel would be consumed for construction worker trips.

**Table 14: Construction Worker Fuel Consumption Estimates**

<u>Phase</u>	<u>Number of Days</u>	<u>Worker Trips/Day</u>	<u>Trip Length (miles)</u>	<u>Vehicle Miles Traveled</u>	<u>Average Vehicle Fuel Economy (mpg)</u>	<u>Estimated Fuel Consumption (gallons)</u>
<u>Site Preparation</u>	<u>5</u>	<u>17.5</u>	<u>18.5</u>	<u>1618.75</u>	<u>30.95</u>	<u>52</u>
<u>Grading</u>	<u>8</u>	<u>15</u>	<u>18.5</u>	<u>2,220</u>	<u>30.95</u>	<u>72</u>
<u>Building Construction</u>	<u>230</u>	<u>11.13</u>	<u>18.5</u>	<u>47,358</u>	<u>30.95</u>	<u>1,530</u>
<u>Paving</u>	<u>18</u>	<u>20</u>	<u>18.5</u>	<u>6,660</u>	<u>30.95</u>	<u>215</u>
<u>Architectural Coating</u>	<u>18</u>	<u>2.226</u>	<u>18.5</u>	<u>741</u>	<u>30.95</u>	<u>24</u>
<b>Total Construction Worker Fuel Consumption</b>						<b>1,893</b>

Notes:

<sup>1</sup>Assumptions for the worker trip length and vehicle miles traveled are consistent with CalEEMod 2022.1.1.16 defaults.

#### Construction Vendor/Hauling Fuel Estimates

Tables 8 and 9 show the estimated fuel consumption for vendor and hauling during building construction and architectural coating. With respect to estimated VMT, the vendor and hauling trips would generate an estimated 35,190 VMT. For the architectural coatings it is assumed that the contractors would be responsible for bringing coatings and equipment with them in their light duty vehicles. Tables 8 and 9 show that an estimated 5,094 gallons of fuel would be consumed for vendor and hauling trips.

**Table 8: Construction Vendor Fuel Consumption Estimates (MHD Trucks)<sup>1</sup>**

<u>Phase</u>	<u>Number of Days</u>	<u>Vendor Trips/Day</u>	<u>Trip Length (miles)</u>	<u>Vehicle Miles Traveled</u>	<u>Average Vehicle Fuel Economy (mpg)</u>	<u>Estimated Fuel Consumption (gallons)</u>
<u>Site Preparation</u>	<u>5</u>	<u>0</u>	<u>10.2</u>	<u>0</u>	<u>9.22</u>	<u>0</u>
<u>Grading</u>	<u>8</u>	<u>0</u>	<u>10.2</u>	<u>0</u>	<u>9.22</u>	<u>0</u>
<u>Building Construction</u>	<u>230</u>	<u>4.3434</u>	<u>10.2</u>	<u>10,190</u>	<u>9.22</u>	<u>1,105</u>
<u>Paving</u>	<u>18</u>	<u>0</u>	<u>10.2</u>	<u>0</u>	<u>9.22</u>	<u>0</u>
<u>Architectural Coating</u>	<u>18</u>	<u>0</u>	<u>10.2</u>	<u>0</u>	<u>9.22</u>	<u>0</u>
<b>Total Vendor Fuel Consumption</b>						<b>1,105</b>

Notes:

<sup>1</sup> Assumptions for the vendor trip length and vehicle miles traveled are consistent with CalEEMod 2022.1.1.16 defaults.

**Table 9: Construction Hauling Fuel Consumption Estimates (HHD Trucks)<sup>1</sup>**

<u>Phase</u>	<u>Number of Days</u>	<u>Hauling Trips/Day</u>	<u>Trip Length (miles)</u>	<u>Vehicle Miles Traveled</u>	<u>Average Vehicle Fuel Economy (mpg)</u>	<u>Estimated Fuel Consumption (gallons)</u>
<u>Site Preparation</u>	<u>5</u>	<u>0</u>	<u>20</u>	<u>0</u>	<u>6.74</u>	<u>0</u>
<u>Grading</u>	<u>8</u>	<u>156.25</u>	<u>20</u>	<u>25,000</u>	<u>6.74</u>	<u>3,709</u>
<u>Building Construction</u>	<u>230</u>	<u>0</u>	<u>20</u>	<u>0</u>	<u>6.74</u>	<u>0</u>
<u>Paving</u>	<u>18</u>	<u>5.23</u>	<u>20</u>	<u>1,883</u>	<u>6.74</u>	<u>279</u>
<u>Architectural Coating</u>	<u>18</u>	<u>0</u>	<u>20</u>	<u>0</u>	<u>6.74</u>	<u>0</u>
<b><u>Total Construction Hauling Fuel Consumption</u></b>						<b><u>3,989</u></b>

Notes:

<sup>1</sup> Assumptions for the hauling trip length and vehicle miles traveled are consistent with CalEEMod 2022.1.1.16 defaults.

**Construction Energy Efficiency/Conservation Measures**

Construction equipment used over the approximately 13-month construction phase would conform to CARB regulations and California emissions standards and is evidence of related fuel efficiencies. In addition, the CARB Airborne Toxic Control Measure limits idling times of construction vehicles to no more than five minutes, thereby minimizing unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Furthermore, the project has been designed in compliance with California's Energy Efficiency Standards and 2019 CALGreen Standards.

Construction of the proposed commercial development would require the typical use of energy resources. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in construction of the Project would therefore not result in inefficient wasteful, or unnecessary consumption of fuel.

**Operational Energy Demand**

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by employee and patron vehicles accessing the Project site) and facilities energy demands (energy consumed by building operations and site maintenance activities).

**Transportation Fuel Consumption**

The largest source of operational energy use would be vehicle operation of customers. The site is located in a rural area. Using the CalEEMod output, it is assumed that an average trip for autos were assumed to be 16.6 miles, light trucks were assumed to travel an average of 6.9 miles, and 3-4-axle trucks were assumed to travel an average of 8.4 miles. To show a worst-case analysis, as the proposed Project is a hotel Project, it was assumed that vehicles would operate 365 days per year. Table 10 shows the worst-case estimated annual fuel consumption for all classes of vehicles from autos to heavy-heavy trucks. Table 10 shows that an estimated 30,478 gallons of fuel would be consumed per year for the operation of the proposed Project.

**Table 10: Estimated Vehicle Operations Fuel Consumption**

<u>Vehicle Type</u>	<u>Vehicle Mix</u>	<u>Number of Vehicles<sup>1</sup></u>	<u>Average Trip (miles)<sup>2</sup></u>	<u>Daily VMT</u>	<u>Average Fuel Economy (mpg)</u>	<u>Total Gallons per Day</u>	<u>Total Annual Fuel Consumption (gallons)</u>
<u>Light Auto</u>	<u>Automobile</u>	<u>105</u>	<u>16.6</u>	<u>1,749</u>	<u>31.82</u>	<u>54.96</u>	<u>20,061</u>
<u>Light Truck</u>	<u>Automobile</u>	<u>12</u>	<u>6.9</u>	<u>82</u>	<u>27.16</u>	<u>3.03</u>	<u>1,106</u>
<u>Light Truck</u>	<u>Automobile</u>	<u>36</u>	<u>6.9</u>	<u>247</u>	<u>25.6</u>	<u>9.67</u>	<u>3,528</u>
<u>Medium Truck</u>	<u>Automobile</u>	<u>25</u>	<u>6.9</u>	<u>172</u>	<u>20.81</u>	<u>8.29</u>	<u>3,025</u>
<u>Light Heavy Truck</u>	<u>2-Axle Truck</u>	<u>5</u>	<u>8.4</u>	<u>39</u>	<u>13.81</u>	<u>2.81</u>	<u>1,025</u>
<u>Light Heavy Truck 10,000 lbs +</u>	<u>2-Axle Truck</u>	<u>1</u>	<u>8.4</u>	<u>10</u>	<u>14.18</u>	<u>0.74</u>	<u>270</u>
<u>Medium Heavy Truck</u>	<u>3-Axle Truck</u>	<u>2</u>	<u>8.4</u>	<u>19</u>	<u>9.58</u>	<u>2.03</u>	<u>742</u>
<u>Heavy Heavy Truck</u>	<u>4-Axle Truck</u>	<u>2</u>	<u>8.4</u>	<u>14</u>	<u>7.14</u>	<u>1.97</u>	<u>720</u>
<u>Total</u>		<u>188</u>	<u>--</u>	<u>2,334</u>	<u>--</u>	<u>83.50</u>	<u>--</u>
<b><u>Total Annual Fuel Consumption</u></b>							<b><u>30,478</u></b>

Notes:

<sup>1</sup> The trip generation assessment, the project is to generate 160 total net new trips after reduction of existing uses. Default CalEEMod vehicle fleet mix utilized.

<sup>2</sup> Based on the size of the site and relative location, trips were assumed to be local rather than regional.

Trip generation generated by the proposed Project is consistent with other similar commercial uses of similar scale and configuration as reflected in the traffic assessment for the project (TJW Engineering, 2023). That is, the proposed Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips, nor associated excess and wasteful vehicle energy consumption. Therefore, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

#### Facility Energy Demands (Electricity and Natural Gas)

The annual natural gas and electricity demands were provided per the CalEEMod output and are provided in Table 11.

**Table 11: Project Unmitigated Annual Operational Energy Demand Summary**

<u>Natural Gas Demand</u>	<u>kBTU/year</u>
<u>Hotel</u>	<u>791,568</u>
<u>Total</u>	<u>791,568</u>
<u>Electricity Demand</u>	<u>kWh/year</u>
<u>Hotel</u>	<u>422,873</u>
<u>Parking Lot</u>	<u>27,474</u>
<u>Hotel</u>	<u>450,347</u>

As shown in Table 11, the estimated electricity demand for the proposed Project is approximately 450,347 kWh per year. In 2021, the non-residential sector of the County of San Bernardino consumed approximately 10,381 million kWh of electricity. In addition, the estimated natural gas consumption for the proposed Project is approximately 791,568 kBTU per year. In 2021, the non-residential sector of the County of San Bernardino consumed approximately 304 million therms of gas. The increase in both electricity and natural gas demand from the proposed Project is insignificant compared to the County's 2020 demand. Therefore, Project energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary and is considered a less than significant impact.

#### **Less Than Significant Impact**

*b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Regarding federal transportation regulations, the Project site is located in an already developed area. Access to/from the Project site is from existing roads. These roads are already in place so the Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be proposed pursuant to the ISTEA because SCAG is not planning for intermodal facilities in the project area.

Regarding the State's Energy Plan and compliance with Title 24 CCR energy efficiency standards, the Project is required to comply with the California Green Building Standard Code requirements for energy efficient buildings and appliances as well as utility energy efficiency programs implemented by the SCE and Southern California Gas Company.

Regarding the State's Renewable Energy Portfolio Standards, the Project would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CALGreen). CalGreen Standards require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.

#### **Less Than Significant Impact**

**Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.**

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>VII. GEOLOGY AND SOILS - Would the project:</b>				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ☐ ☒ ☐ ☐

**SUBSTANTIATION:** (Check ☐ if project is located in the Geologic Hazards Overlay District):  
**San Bernardino Countywide Plan; Submitted Project Materials; California Department of Conservation Fault Activity Map; California Important Land Finder;**

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

*i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42*

The Project Site does not occur within an Alquist-Priolo Earthquake Fault Zone, as shown in the Department of Conservation Earthquake Zones of Required Investigation Map (2023).<sup>7</sup> The Project site is not located within a currently designated San Bernardino County State of California Earthquake Fault Zone<sup>8</sup>. There are no known active faults projecting toward or extending across the Project site. The nearest Alquist-Priolo fault lines are the Pinto Mountain Fault Zone located approximately 0.88 miles north of the Project site. Nonetheless, the proposed Project would be required to comply with the California Building Code requirements and the Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Compliance with these codes and standards would address potential impacts resulting from an earthquake event. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

#### Less Than Significant Impact

*ii) Strong seismic ground shaking?*

As is the case for most areas of Southern California, ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project site. The design of any structures on-site would incorporate measures to accommodate projected seismic ground shaking in accordance with the California Building Code (CBC) and local building regulations. The CBC is designed to preclude significant adverse effects associated with strong seismic ground shaking. Compliance can ensure that the proposed Project would not expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking.

#### Less Than Significant Impact

*iii) Seismic-related ground failure, including liquefaction?*

<sup>7</sup>Department of Conservation Fault Activity Map of California (2010). <http://maps.conservation.ca.gov/cgs/fam/>. Accessed August 27, 2022.

<sup>8</sup> San Bernardino Countywide Plan <https://www.arcgis.com/apps/webappviewer/index.html?id=d88e2db7ee5649478d70e95c56b0d62d>. Earthquake Fault Zones. Figure HZ-1



Liquefaction is a process in which cohesion-less, saturated, fine-grained sand and silt soils lose shear strength due to ground shaking and behave as fluid. Areas overlying groundwater within 30 to 50 feet of the surface are considered susceptible to liquefaction hazards. Ground failure associated with liquefaction can result in severe damage to structures. The Project Site is not located in an area susceptible to liquefaction.<sup>9</sup> Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

##### *iv) Landslides?*

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. The Project site is not located within an area susceptible to landslides as it is not located adjacent to a hill or mountain. Furthermore, the Project Site is near level with the surrounding area. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

#### **No Impact**

##### *b) Result in substantial soil erosion or the loss of topsoil?*

The proposed Project does not involve substantial grading. The Project site is only two (2) acres. Implementation of the proposed Project would not result in substantial soil erosion or loss of topsoil. Therefore, no significant adverse impacts have been identified or anticipated and no mitigation measures are required as a condition of Project approval.

#### **Less Than Significant Impact**

##### *c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

The Project site is relatively flat with no prominent geologic features occurring on or within the vicinity of the Project Site. The elevation of the Project site ranges from approximately 2,475 feet above mean sea level (ASML) to 2,491 feet AMSL. The Project site is not within an area susceptible to liquefaction or landslides. Seismically induced lateral spreading involves lateral movement of soils due to ground shaking. Because the Project site is relatively level, the potential for seismically induced lateral ground spreading should be considered low. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

##### *d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

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<sup>9</sup> San Bernardino Countywide Plan Map. HZ-2 "Liquefaction and Landslides.". <https://www.arcgis.com/apps/webappviewer/index.html?id=5864a434814c4e53adc74101b34b1905>

Expansive soils (shrink-swell) are fine-grained clay silts subject to swelling and contracting in relation to the amount of moisture present in the soil. Structures built on expansive soils may incur damage due to differential settlement of the soil as expansion and contraction takes place. A high shrink-swell potential indicates a hazard to structures built on or with material having this rating. The soils on-site are alluvium derived from granite and contain fine sandy loam. There are no clay soils present within the Project site. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The proposed Project will utilize septic tanks for all sewer waste disposal. Such systems would be required to meet all requirements of the County's Environmental Health Services (EHS) Division prior to their installation, including the completion of a percolation test. Therefore, preparation of required documentation and subsequent evaluation and approval by the County would ensure impacts are less than significant and no mitigation measures are required.

#### **Less Than Significant Impact**

- f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

A paleontological resources assessment was completed for the Project by CRM Tech, dated March 8, 2023. According to that report, a paleontological records search was requested from the San Bernardino County Museum in Redlands, California, which is one of the local institutions that maintain files on regional paleontological localities as well as supporting maps and documents. The records search was requested to identify any known paleontological localities and previously performed paleontological resource studies within a one-mile radius of the Project area. In conjunction with the records search, CRM TECH staff reviewed published literature on regional geology; topographic, geologic, and soil maps pertaining to the Project area and vicinity; the County of San Bernardino GIS database; aerial images available at the Nationwide Environmental Title Research (NETR) Online website and through the Google Earth software; and other materials in the CRM TECH library, including unpublished reports produced during similar studies in the vicinity.

Besides the document research conducted regarding the geology and paleontological sensitivity of the Project area, the property was inspected by CRM TECH paleontological surveyor Michael Richards on October 25, 2022. Richards conducted an intensive-level on-foot field survey of the Project area and inspected the surface of the entire property by walking along parallel north-south transects spaced 15 meters (approximately 50 feet) apart. Additionally, on December 1, 2022, CRM TECH paleontologist Ron Schmidting also inspected the property. In this way, the ground surface in the Project area was carefully examined to determine the soil types, to verify the geological formations, and to look for any indications of paleontological resources.

#### **Results/Findings**

The records search by the San Bernardino County Museum (SBCM) identified no known paleontological localities within the Project area, and only one isolated permineralized rodent bone reported approximately 0.6 miles north of the Project. According to Kottcamp, the geologic units within this Project area are mapped as Holocene-age alluvial deposits comprised of medium to coarse-grained sand and gravel. Kottcamp further notes that geological units such as these are generally considered to be of low paleontological sensitivity, due to their recent age (Kottcamp 2022).

During the field survey, ground visibility was noted as being very good (approximately 80%) in the majority of the Project area due to the sparse vegetation. The Project area is situated on an alluvial fan consisting of silty sand of fine-to-coarse grain sands with gravels consisting of fine-to-coarse pebbles with small cobbles. The existing vegetation on the property includes creosote bush, Joshua tree, foxtail, several varieties of chollas, and other small desert grasses and shrubs. Portions of the Project area along the southern boundary exhibit signs of past ground disturbance.

At the time of Schmidting's visit to the Project area, a geotechnical trench had been excavated in the property near Mile Square Road. The geotechnical pit revealed a consistent composition of recent alluvium to a depth of about three feet. Schmidting also noted that the surface soils consisted of sand, cobbles, and pebbles of Mesozoic granite from the Joshua Tree area. Most cobbles and pebbles were sub-rounded quartz monzonite, with minor amounts of dark biotite and hornblende, in a matrix of quartz and orange to pink feldspar. No surface manifestation of any paleontological remains or potentially fossiliferous sediments was observed within the Project area during the field inspections.

No fossil localities are known to be present within the Project area, or within one mile of it, and none were observed in the surface sediments during the field inspection of the property. The geologic unit of this property is mapped entirely as Holocene age alluvium. Based on the low sensitivity of the sediments in the Project area, paleontological monitoring during earth-disturbing activities associated with the Project is not recommended. However, out of an abundance of caution the following mitigation measure is recommended. .

**MM PAL-1** If any suspected paleontological resources or undisturbed potentially fossiliferous soils are discovered during earth-moving operations associated with the project, all work in that area should be halted or diverted until a qualified paleontologist can evaluate the nature and significance of the finds.

With the incorporation of the above MM the Project will have a less than significant effect on paleontological resources.

#### Less than Significant with Mitigation

**Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VIII.</b>	<b>GREENHOUSE GAS EMISSIONS – Would the project:</b>				

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ☐ ☐ ☒ ☐
- b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? ☐ ☐ ☒ ☐

**SUBSTANTIATION:**

***San Bernardino Countywide Plan; MD Acoustics - Greenhouse Gas (GHG) Impact Study (January 30, 2023 and updated 8/11/2023)***

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

A Project specific Greenhouse Gas Analysis was prepared by MD Acoustics, dated 8/11/2023.

Construction

The greenhouse gas emissions from Project construction equipment and worker vehicles are shown in Table 12. The emissions are from all phases of construction. The total construction emissions amortized over a period of 30 years are estimated at 12.06 metric tons of CO<sub>2</sub>e per year.

**Table 12: Construction Greenhouse Gas Emissions**

Year	Metric Tons Per Year					
	Bio-CO <sub>2</sub>	NBio-CO <sub>2</sub>	Total CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e (MT)
2023	0.00	340.15	340.15	0.01	0.01	343.81
2024	0.00	23.66	23.66	0.00	0.00	23.91
<b>Total</b>	0.00	363.81	363.81	0.01	367.72	361.70
<b>Annualized Construction Emissions</b>						12.26
Notes:						
1. MTCO <sub>2</sub> e=metric tons of carbon dioxide equivalents (includes carbon dioxide, methane and nitrous oxide).						
2. The emissions are averaged over 30 years.						
* CalEEMod output						

Operations

Operational emissions occur over the life of the Project. Table 13 below shows that the subtotal for the proposed Project would result in annual emissions of 644.57 MT CO<sub>2</sub>e per year (without the addition of amortized construction emissions which would add an additional 12.06 MT

CO<sub>2</sub>e per year; see Appendix A CalEEMod Annual Output for details). The total emissions of 656.63 MTCO<sub>2</sub>e/year would not exceed the San Bernardino County screening threshold of 3,000 metric tons per year of CO<sub>2</sub>e. As shown in Table 13, the Project's total GHG emissions would also not exceed the MDAQMD annual threshold of 100,000 MTCO<sub>2</sub>e or the MDAQMD daily threshold of 548,000 pounds of CO<sub>2</sub>e.

**Table 13: Opening Year Project Related Greenhouse Gas Emissions**

Category	Greenhouse Gas Emissions (Metric Tons/Year) <sup>1</sup>						(lbs/day)
	Bio-CO <sub>2</sub>	NonBio-CO <sub>2</sub>	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e	CO <sub>2</sub> e
Area Sources <sup>2</sup>	0.00	0.00	0.00	0.00	0.00	6.86	41.43
Energy Usage <sup>3</sup>	0.00	150.67	150.67	0.01	0.00	151.20	913.25
Mobile Sources <sup>4</sup>	0.00	589.74	589.74	0.02	0.03	599.29	3,619.70
Solid Waste <sup>5</sup>	0.98	0.00	0.98	0.10	0.00	3.42	20.65
Water <sup>6</sup>	0.16	2.26	2.42	0.02	0.00	2.96	17.88
Construction <sup>7</sup>	0.00	12.13	12.13	0.00	0.00	12.26	2,726.90
<b>Total Emissions</b>	<b>1.14</b>	<b>754.80</b>	<b>755.94</b>	<b>0.14</b>	<b>0.03</b>	<b>775.98</b>	<b>4,612.90</b>
<b>MDAQMD GHG Thresholds</b>						<b>100,000</b>	<b>548,000</b>
<b>County of San Bernardino GHG Emissions Reduction Plan Threshold</b>						<b>3,000</b>	<b>-</b>
<b>Exceeds Threshold?</b>						<b>No</b>	<b>No</b>
Notes: <sup>1</sup> Source: CalEEMod Version 2022.1 <sup>2</sup> Area sources consist of GHG emissions from consumer products, architectural coatings, and landscape equipment. <sup>3</sup> Energy usage consist of GHG emissions from electricity and natural gas usage. <sup>4</sup> Mobile sources consist of GHG emissions from vehicles. <sup>5</sup> Solid waste includes the CO <sub>2</sub> and CH <sub>4</sub> emissions created from the solid waste placed in landfills. <sup>6</sup> Water includes GHG emissions from electricity used for transport of water and processing of wastewater. <sup>7</sup> Construction GHG emissions based on a 30-year amortization rate.							

According to the San Bernardino County thresholds of significance established above, a cumulative global climate change impact would occur if the GHG emissions created from the on-going operations would exceed 3,000 metric tons per year of CO<sub>2</sub>e. Therefore, as the Project's total emissions do not exceed 3,000 metric tons per year of CO<sub>2</sub>e, operation of the proposed Project would not create a significant cumulative impact to global climate change.

**Less Than Significant Impact**

- b) *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

**Greenhouse Gas Plan Consistency**

The proposed project would have the potential to conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

According to the *County of San Bernardino Greenhouse Gas Emissions Reduction Plan*, "all development Projects, including those otherwise determined to be exempt from CEQA will be subject to applicable Development Code provisions, including the GHG performance standards, and state requirements, such as the California Building Code requirements for energy efficiency. With the application of the GHG performance standards, projects that are exempt from CEQA and small project that do not exceed 3,000 MTCO<sub>2</sub>e per year will be considered to be consistent with the Plan and determined to have a less than significant individual and cumulative impact for GHG emissions." The Reduction Plan also states that "the 3,000 MTCO<sub>2</sub>e per year value was chosen as the medial value and is used in defining small projects that must include the Performance Standards as described in Attachment B (of the *County of San Bernardino Greenhouse Gas Emissions Reduction Plan*), but do not need to use the Screening Tables or alternative GHG mitigation analysis described in Attachment D (of the *County of San Bernardino Greenhouse Gas Emissions Reduction Plan*)."

The Project's total net operational GHG emissions do not exceed the County's screening threshold of 3,000 MTCO<sub>2</sub>e per year. Therefore, the Project does not need to accrue points using the screening tables and is consistent with the GHG Plan, pursuant to Section 15183.5 of the State CEQA Guidelines. As mentioned above, the Project is expected to comply with the performance standards for commercial uses as detailed in the *County of San Bernardino Greenhouse Gas Emissions Reduction Plan* (see Appendix A for details on the performance standards for commercial projects). The proposed Project will not result in substantial emissions of greenhouse gases and will not conflict with the Green County initiatives.

**Less Than Significant Impact**

**Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>				

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|



- |    |  |                          |                          |                                     |                                     |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) | Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

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**SUBSTANTIATION:**

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***San Bernardino Countywide Plan; EnviroStor Database;***

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- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The proposed Project includes the request for a Conditional Use Permit to allow for the development and operation of a Hotel. Hazardous or toxic materials transported in association with construction may include items such as oils, paints, and fuels. All materials required during construction and operation would be kept in compliance with State and local regulations. With implementation of Best Management Practices (BMPs) and compliance with all applicable federal, state and local regulations including all Certified Unified Program Agency (CUPA) regulations, potential impacts to the public or the environment from the routine transport, use, or disposal of hazardous materials during construction are considered to be less than significant.

**Less Than Significant Impact**

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

The proposed Project will involve the development of a Hotel with a parking lot. As stated in response (a) above, hazardous or toxic materials transported in association with construction of the proposed Project may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. Operational activities would include standard maintenance, such as property upkeep, exterior painting of buildings and similar activities, and involve the use of commercially available products (e.g., pesticides, herbicides, gas, oil, paint, etc.) the use of which would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental release of hazardous materials into the environment. With implementation of Best Management Practices (BMPs) and compliance with all applicable regulations, potential impacts from the use of hazardous materials is considered less than significant and no mitigation measures are required.

**Less Than Significant Impact**

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The Copper Mountain College is the nearest school to the Project Site. It occurs approximately 0.57 miles northeast of the Project Site at 6162 Rotary Way. No hazardous materials would be emitted as a result of the construction and operation of the proposed Project. No hazardous materials, other than such items as liquid cleaning solutions and other common household products, would be emitted as a result of the construction and operation of the proposed Project. Therefore, no impacts associated with emission of hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of a school are anticipated. No impacts or anticipated and no mitigation measures are required.

**No Impact**

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system.<sup>10</sup> EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or in the immediate vicinity of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

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<sup>10</sup>California Department of Toxic Substances Control. EnviroStor. Accessed January 2023.

**No Impact**

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

The Project site is not within the boundaries of an airport land use plan or in the vicinity of a private airstrip. The nearest airport, with an approved airport land use plan, is the Yucca Valley Airport, approximately 10.26 miles west of the site. Due to the distance from the airport and the height of the proposed buildings, 2-story, the Project will not have an impact on the airport land use plan. Additionally, the Project will not result in safety hazards or excessive noise for people living or working in the area, as the proposed Project is a hotel that will comply with all relevant noise ordinances for the County of San Bernardino. No impact will occur.

**No Impact**

- f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The Project site will be accessed from one driveway on Twentynine Palms Highway (Hwy 62) and on driveway on Mile Square Road, as shown on the site plan. The Project site is located approximately 0.02 miles south of State Highway 62, the primary route for an evacuation of the area (Countywide Plan 2020). However, other than a connection to Hwy 62, the proposed Project does not propose any impacts to the Hwy. And the site is not expected to generate a substantial amount of traffic. The Traffic Memo prepared for this Project estimates 136 daily trips.

Therefore, operations and construction of the proposed Project would not interfere with the use of these routes during an evacuation. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Furthermore, the Project site does not contain any emergency facilities. Project operations at the site would not interfere with an adopted emergency response or evacuation plan. No impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

- g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

As identified on San Bernardino Countywide Plan Map, HZ-5 Fire Hazard Severity Zones<sup>11</sup>, the subject property and surrounding area is identified as having a moderate potential for wildland fires. Moderate, High, and Very High are of a concern for residents. As shown in CalFire's Very High Fire Hazard Severity Zones (VHFHSZ) in Local Responsibility Area (LRA), the Project site is not located within a VHFHSZ. The Project site occurs in a region that is developed primarily in a rural manner. The proposed Project consists of Hotel. Proposed on-site improvements shall

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<sup>11</sup>San Bernardino Countywide Plan, Figure HZ-5 "Fire Hazard Severity Zones".  
<https://www.arcgis.com/apps/webappviewer/index.html?id=355f9beb4a8f446e8869459e91d58431>

comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Therefore, the proposed Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

### Less Than Significant Impact

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>X. HYDROLOGY AND WATER QUALITY - Would the project:</b>					
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i.	result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii.	substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii.	create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv.	impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**SUBSTANTIATION:**

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***San Bernardino Countywide Plan; Submitted Project Materials; Drainage Study prepared by DRP Enterprises, dated September 25, 2023***

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- a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The proposed Project is located outside of the MS 4 (Municipal Storm Water Program) Map boundaries that define regulated storm water and discharge of storm water<sup>12</sup>. The amount of impervious surface is relatively small given the surrounding land uses. The incremental increase in storm water discharge due to these impervious surfaces must be retained on-site. The 100-yr peak flow hydrologic analysis is completed for the project site. For 100-yr storm event, existing watershed DMA-X (5.3 ac) produces 12.497 cfs runoff and the proposed watershed DMA-A (5.3 ac) produces 18.28 cfs runoff. To mitigate the additional 7.03 cfs runoff beyond 90% pre-development, a retention basin and Truegrid sustainable paving system are proposed.

Additionally, an on-site wastewater treatment system will be utilized for wastewater effluent and require review and approval from the County's Environmental Health Services Division. This will be located in the northwest corner of the Project site. Additionally, the proposed Project would disturb more than one-acre and therefore would be subject to the National Pollutant Discharge Elimination System (NPDES) permit requirements. This will further reduce impacts as all storm water will be retained on site in the storm water retention basin. Because the Project will be required to comply with the NPDES permit requirements there is a less than significant impacts to water quality, and no mitigation measures or conditions are necessary.

**Less Than Significant Impact**

- b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The intent of the proposed Project is to maintain the existing desert environment, thereby not affecting the existing site vegetation and land characteristics beyond the minimal amount necessary for vehicle accessibility and structure foundations. Given the small nature of the impervious development (2 acres), the ability to adequately provide future groundwater recharge in the region would be maintained. The Project will utilize an on-site wastewater system which will collect the run-off from impervious development and funnel it to a treatment basin. This basin will process the wastewater and then it will flow into a recharge pit and be allowed to percolate back into the ground. Because the site is not serviced by any existing storm water facilities, the on-site storm water facility will be fully contained on-site.

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<sup>12</sup>San Bernardino County Storm Water Facility Mapping Tool  
<https://sbcountypdw.maps.arcgis.com/apps/webappviewer/index.html?id=302f46bbc77143519782936a535d0cfc>

The Project site is to be served through water services from the Joshua Basin Water District. Based upon data from the Joshua Basin Water District, groundwater levels have been relatively constant in the area. The amount of water projected to be used by the Project is relatively small given the size and scope of the Project. Water supplies available through groundwater pumping are projected to be sufficient to serve the proposed Project and reasonably foreseeable future development. No significant impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- i) *Result in substantial erosion or siltation on- or off-site;*

The site is currently undeveloped, has a gradual slope of approximately 3% and it drains by sheet flow from southeasterly to the northwesterly side. For the 100-yr peak flow hydrologic analysis, the existing site is assumed as a single drainage area DMA-X (5.3-acre). The 100-Yr existing condition peak flow rate shall be determined assuming '100-Yr existing conditions is based on 25-Yr storm using AMC II' (Per "San Bernardino County Detention Basin Design Criteria").

The proposed development consists of a hotel with a lobby, hotel rooms, a hotel restaurant. And associated site improvements include grading and drainage, sewer, water, landscaping, driveway, pavement, trash enclosure. For the proposed condition the subject site is also assumed as a single drainage area DMA-A (5.3-acre) drains to the northeasterly at the same corner with a slope of about 2%. The Lot will be graded to surface flow through the site utilizing curb and gutters, and slopes to convey flow into a proposed basin on the northwesterly corner of the property. The site is also proposing sustainable TrueGrid Plus paving technology on internal circulation roads and parking. The grid structure of the pavers allows water to permeate through the surface and infiltrate the ground below reducing the risk of flooding and erosion and allowing water to replenish aquifers and support vegetation growth.

Therefore, the predominate amount of impervious material relates to paving for vehicle access and pedestrian access. The design of the Project will also utilize a basin for stormwater retention. This will retain stormwater within the Project site and allow it to percolate into the ground. As such, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;*

As noted previously, the amount of additional incremental increase in water runoff due to the addition of impervious surfaces is estimated to be minimal. Additionally, 100-yr peak flow hydrologic analysis is completed for the Project site. For 100-yr storm event, existing watershed DMA-X (5.3 ac) produces 12.497 cfs runoff and the proposed watershed DMA-A (5.3 ac)



produces 18.28 cfs runoff. To mitigate the additional 7.03 cfs runoff beyond 90% pre-development, a retention basin and Truegrid sustainable paving system are proposed.

The Project would be required to retain this incremental increase in water runoff on-site. Site soils are generally suitable to retain this increase and will be evaluated to confirm this condition by the County's Land Development Division prior to permit issuance. As such, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

- iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or*

The Project area is not served by a stormwater system and, as such, this proposed Project would not exceed the capacity of that system. The increase in impervious surfaces would generate minimal additional water runoff. As such, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

- iv) *Impede or redirect flood flows?*

No notable drainage courses exist through the property, with the site exhibiting a potential sheet flow condition due to its uniform topographic condition within a broad alluvial fan. Additionally, 100-yr peak flow hydrologic analysis is completed for the Project site. For 100-yr storm event, existing watershed DMA-X (5.3 ac) produces 12.497 cfs runoff and the proposed watershed DMA-A (5.3 ac) produces 18.28 cfs runoff. To mitigate the additional 7.03 cfs runoff beyond 90% pre-development, a retention basin and Truegrid sustainable paving system are proposed.

Therefore, with the proposed Project adhering to existing topography and the use of on-site retention, the proposed Project is not anticipated to impede or redirect flood flows. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

- d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Tsunamis are large waves generated in open bodies of water by fault displacement due to major ground movement. Due to the Project site's distance from the Pacific Ocean, tsunamis are not potential hazards near the Project site. The site is currently undeveloped, has a gradual slope of approximately 3% and it drains by sheet flow from southeasterly to the northwesterly side. For the 100-yr peak flow hydrologic analysis, the existing site is assumed as a single drainage area DMA-X (5.3-acre). The 100-Yr existing condition peak flow rate shall be

determined assuming '100-Yr existing conditions is based on 25-Yr storm using AMC II' (Per "San Bernardino County Detention Basin Design Criteria").

However, the 100-yr peak flow hydrologic analysis is completed for the Project site. For 100-yr storm event, existing watershed DMA-X (5.3 ac) produces 12.497 cfs runoff and the proposed watershed DMA-A (5.3 ac) produces 18.28 cfs runoff. To mitigate the additional 7.03 cfs runoff beyond 90% pre-development, a retention basin and Truegrid sustainable paving system are proposed.

Therefore, the risk of release of pollutants by flood, seiche, or tsunami is considered low. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### Less Than Significant Impact

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The site is not currently located within an area that is required to submit a Ground Water Sustainability Plans (GSP) <sup>13</sup>. As noted previously, the combination of a relatively low amount of impervious surfaces, site soils, and on-site retention of storm water runoff, would ensure the proposed Project would not adversely conflict with or obstruct groundwater recharge. Additionally, The site is not within an MS-4 area necessitating the completion of a WQMP for water quality purposes. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

#### Less Than Significant Impact

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XI. LAND USE AND PLANNING - Would the project:</b>					
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>13</sup>California Department of Water Resources <https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management/Groundwater-Sustainability-Plans>

regulation adopted for the purpose of avoiding or mitigating an environmental effect?

**SUBSTANTIATION:**

**San Bernardino Countywide Plan; Submitted Project Materials**

*a) Physically divide an established community?*

The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. The proposed Project does not include the construction of a linear feature. Therefore, the proposed Project would neither physically divide an established community nor cause a significant environmental impact due to conflict with any land use plans or policies. Therefore, no impacts are identified or anticipated.

**No Impact**

*b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

The Proposed Project is the development of a Hotel. The Project site is surrounded by vacant land and Hwy 62 to the north. The Project Site is located within the County of San Bernardino and is designated Commercial by the Countywide Plan with a zoning designation of Joshua Tree/Neighborhood Commercial (JT/CN). The Proposed Project would require the approval of a Conditional Use Permit and would need to be found consistent with the land use and zoning for the area.. No significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XII.</b>	<b>MINERAL RESOURCES - Would the project:</b>				
a)	Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:** (Check ☐ if project is located within the Mineral Resource Zone Overlay):

**San Bernardino Countywide Plan; Submitted Project Materials; Mineral Land Classification**

- a) *Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?*

The California Department of Conservation has not issued a Mineral Land Classification Map <sup>14</sup> for the Project site. It is unknown if this area contains any significant mineral deposits. However, the type of development proposed would not significantly affect any potential mineral resources on-site as the excavation necessary for Project construction is minimal. Additionally, the current use of the surrounding area is not compatible with mineral resource extraction. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

- b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

The Project site is not within a designated mineral resource area by the State of California. The San Bernardino Countywide Plan Map, NR-4 Mineral Resource Zone <sup>15</sup>, does not display the area as being within a mineral resource area. The Project site is also not located within a planning area zoned for mining. Therefore, the proposed Project would not result in the loss of availability of a locally important mineral resource recovery site. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIII. NOISE - Would the project result in:</b>				

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

<sup>14</sup><https://maps.conservation.ca.gov/>

<sup>15</sup>San Bernardino Countywide Plan Mineral resource Zone Map (NR-4)  
<https://www.arcgis.com/apps/webappviewer/index.html?id=9948b9bc78f147fd9ea193c2ce758081>

- |    |  |                          |                          |                                     |                                     |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) | Generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) | For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**SUBSTANTIATION:** (Check if the project is located in the Noise Hazard Overlay District ☐ or is subject to severe noise levels according to the General Plan Noise Element ☐):

**San Bernardino Countywide Plan; MD Acoustics Noise Study, November 4, 2022 and updated August 14, 2023, Submitted Project Materials**

- a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Applicable policies and standards governing environmental noise in the County are set forth in the Countywide Plan/Policy Plan Hazards Element. Applicable goals, policies, and implementation measures to reduce potential noise impacts, are presented below:

#### **Goals, Policies, and Implementation Measures**

Policies, goals and implementation program measures from the Policy Plan that would reduce potential impacts on noise include the following.

**Goal HZ-2** Human-generated Hazards: People and the natural environment protected from exposure to hazardous materials, excessive noise, and other human-generated hazards.

Policy HZ-2.6: Coordination with transportation authorities. We collaborate with airport owners, FAA, Caltrans, SBCTA, SCAG, neighboring jurisdictions, and other transportation providers in the preparation and maintenance of, updates to transportation related plans and projects to minimize noise impacts and provide appropriate mitigation measures.

Policy HZ-2.7: Truck delivery areas. We encourage truck delivery areas to be located away from residential properties and require associated noise impacts to be mitigated.

Policy HZ-2.8: Proximity to noise generating uses. We limit or restrict new noise sensitive land uses in proximity to existing conforming noise generating uses and planned industrial areas.

Policy HZ-2.9: Control sound at the source. We prioritize noise mitigation measures that control sound at the source before buffers, soundwalls, and other perimeter measures.

Policy HZ-2.10: Agricultural operations. We require new development adjacent to existing conforming agricultural operations to provide adequate buffers to reduce the exposure of new development to operational noise, odor, and the storage or application of pesticides or other hazardous materials.

The Project site is currently vacant and does not generate any noise. According to the San Bernardino Countywide Plan Map, HZ-7 & HZ-8 Existing and Future Noise Contours, the site is within or adjacent to an mapped noise contour. County Development Code Section 83.01.080, Noise, establishes standards for acceptable noise levels and contains the following statement:

“Areas within the County shall be designated as “noise-impacted” if exposed to existing or projected future exterior noise levels from mobile or stationary sources exceeding the standards listed in Subdivision (d) (Noise Standards for Stationary Noise Sources) and Subdivision (e) (Noise Standards for Adjacent Mobile Noise Sources), below. New development of residential or other noise sensitive land uses shall not be allowed in noise-impacted areas unless effective mitigation measures are incorporated into the project design to reduce noise levels to these standards. Noise-sensitive land uses shall include residential uses, schools, hospitals, nursing homes, religious institutions, libraries, and similar uses.”

One (1) 15-minute noise measurement was conducted at the project site to document the existing noise environment. The measurements include the 15-minute Leq, Lmin, Lmax, and other statistical data (e.g., L2, L8). The results of the noise measurement are presented in Table 14.

**Table 14: Short-Term Noise Measurement Data (dBA)**

Location	Start Time	Stop Time	Leq	Lmax	Lmin	L(2)	L(8)	L(25)	L(50)	L(90)
NM3	4:17 PM	4:32 PM	55.8	65.4	43.8	61.6	59.2	56.9	54.3	49.2
Notes:										
1. Short-term noise monitoring locations are illustrated in Exhibit E.										

The data presented in Table 6 and the field notes provided in Appendix A, indicate that ambient noise levels in the project vicinity were 55.8 dBA Leq, and the field data indicates that the dominant noise source is traffic along Twentynine Palms Highway.

#### Off-Site Traffic Noise Impact

The potential off-site noise impacts caused by the increase in vehicular traffic as a result of the project were calculated at a distance of 100 feet from affected road segments. The noise levels at 100 feet both with and without project-generated vehicle traffic were compared and the increase was calculated. Noise contours were calculated for the following scenarios and conditions:

- Existing Condition: This scenario refers to the existing year traffic noise condition and is demonstrated in Table 15.



- Opening + Project Condition: This scenario refers to the opening year (2023) plus project traffic noise condition and is demonstrated in Table 15.

As shown in Table 15, the addition of project-generated vehicle traffic on Twentynine Palms Highway would result in negligible increases in ambient noise levels and would not be significant

**Table 15: Change in Existing Noise Levels as a Result of Project Generated Traffic**

Roadway	Segment	Modeled Noise Levels (dBA CNEL) at 200 feet from the Centerline			
		Existing without Project	Existing with Project	Change in Noise Level	Increase of 3 dB or more <sup>2</sup>
Twentynine Palms Highway	Mt Lassen Ave to Mt Shasta Ave	70.1	70.2	0.1	No
Notes:					
<sup>1</sup> FHWA roadway noise modeling worksheets are provided in Appendix C.					
<sup>2</sup> Typical CEQA significance threshold					

#### On-Site Traffic Noise Impacts

Future noise levels associated with traffic were modeled using the FHWA Traffic Noise Model calculations in order to evaluate the Project in light of the County's exterior standards as they apply to future traffic noise impacts to the proposed project. The Project is currently within the conditionally acceptable range at 70 dBA CNEL. It will not change due to the increase in traffic levels due to the project.

#### Noise Impacts to Off-Site Receptors Due to Stationary Noise Sources

Existing conditions show that the existing residences to the southwest and west are sensitive receptors near the Project site. Vacant commercial and residential land uses around the Project site are potential sensitive receptors that may be affected by Project operational noise, and where the city's noise ordinance limits shall apply. Worst-case operational noise was modeled using SoundPLAN acoustical modeling software. Four (4) receptors representative of adjacent commercial and vacant sites were modeled using the SoundPLAN noise model to evaluate the proposed Project's operational impact. A receptor is denoted by a yellow dot, as shown in Exhibit F. All yellow dots are a property line on contiguous parcels. R1 is along the property line adjacent to Twentynine Palms Highway. R2 is on the east property line. R3 is to the south of the proposed hotel and R4 is on the west property line. The results are in Table 8.

#### **Project Operational Noise Levels**

Worst-case "Project-only" exterior operational noise is presented in Exhibit F. Operational noise levels are expected to reach 25 to 45 dBA Leq. All receivers would be assumed to have an

ambient noise level of 56 dBA Leq; therefore, the operational noise level at any receiver would not be perceptible and will be masked by ambient noise.

### Project Plus Ambient Operational Noise Levels

Existing plus Project noise level projections are anticipated to reach 56 dBA Leq. The Project will not increase the level at any receiver. Thus, the traffic noise impact will be insignificant.

**Table 16: Operational Noise Levels (dBA, Leq)**

Receptor <sup>1</sup>	Existing Ambient Noise Level <sup>2</sup>	Project Noise Level <sup>3</sup>	Total Combined Noise Level	Normally Acceptable Residential Noise Level	Change in Noise Level as Result of Project
1	56	46	56	55	0
2	56	38	56	60	0
3	56	37	56	45	0
4	56	37	56	60	0
Notes: <sup>1</sup> . Receptors 1-4 are located along the property lines. <sup>2</sup> . See Table 6 for existing ambient level. The dominant noise source is traffic along Twentynine Palms Highway to the north. <sup>3</sup> . See Exhibit F for the operational noise level projections at said receptors.					

### Construction Noise

Construction noise is considered a short-term impact and would be considered significant if construction activities are taken outside the allowable times as described in the County's Municipal Code (Section 83.01.080(g)(3)). Construction is anticipated to occur during the permissible hours (7 a.m. to 7 p.m.) according to the County's Municipal Code. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Noise levels will be loudest during the site preparation phase. A likely worst-case construction noise scenario during site preparation assumes the use of three (3) dozers and four (4) tractors operating at 400 feet from the nearest sensitive receptor (west residence).

Assuming a usage factor of 40 percent for each piece of equipment, unmitigated noise levels at 400 feet have the potential to reach 63.7 dBA Leq at the nearest sensitive receptors during site preparation. Noise levels for the other construction phases would be lower and range between 50 to 61 dBA. Construction noise will have a temporary or periodic increase in the ambient noise level above the existing within the Project vicinity. However, the impact will be considered less than significant assuming construction occurs during the permissible hours (7 a.m. to 7 p.m.).

### Less Than Significant Impact

- b) *Generation of excessive groundborne vibration or groundborne noise levels?*

### Vibration Descriptors

Ground-borne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. The effects of ground-borne vibrations typically only cause a nuisance to people, but at extreme vibration levels, damage to buildings may occur. Although ground-borne vibration can be felt outdoors, it is typically only an annoyance to people indoors where the associated effects of the shaking of a building can be notable. Ground-borne noise is an effect of ground-borne vibration and only exists indoors since it is produced from noise radiated from the motion of the walls and floors of a room and may also consist of the rattling of windows or dishes on shelves.

Several different methods are used to quantify vibration amplitude.

**PPV** – Known as the peak particle velocity (PPV) which is the maximum instantaneous peak in vibration velocity, typically given in inches per second.

**RMS** – Known as root mean squared (RMS) can be used to denote vibration amplitude.

**VdB** – A commonly used abbreviation to describe the vibration level (VdB) for a vibration source.

### Vibration Perception

Typically, developed areas are continuously affected by vibration velocities of 50 VdB or lower. Construction activities can produce vibration that may be felt by adjacent land uses. The construction of the proposed project would not require the use of equipment such as pile drivers, which are known to generate substantial construction vibration levels. The primary vibration source during construction may be from a bulldozer. A large bulldozer has a vibration impact of 0.089 inches per second peak particle velocity (PPV) at 25 feet which is perceptible but below any risk to architectural damage.

The thresholds from the Caltrans Transportation and Construction Induced Vibration Guidance Manual in Table 17 (below) provides general thresholds and guidelines as to the vibration damage potential from vibratory impacts.

**Table 17: Guideline Vibration Damage Potential Threshold Criteria**

Structure and Condition	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

Source: Table 19, Transportation and Construction Vibration Guidance Manual, Caltrans, Sept. 2013.  
Note: Transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

Table 18 gives approximate vibration levels for particular construction activities. This data provides a reasonable estimate for a wide range of soil conditions.

**Table 18: Vibration Source Levels for Construction Equipment**

Equipment	Peak Particle Velocity (inches/second) at 25 feet	Approximate Vibration Level LV (dVB) at 25 feet
Pile driver (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 upper range	105
	0.170 typical	93
Clam shovel drop (slurry wall)	0.202	94
Hydromill	0.008 in soil	66
(slurry wall)	0.017 in rock	75
Vibratory Roller	0.21	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58
<sup>1</sup> Source: Transit Noise and Vibration Impact Assessment, Federal Transit Administration, May 2006.		

At a distance of 400 feet, a large bulldozer would yield a worst-case 0.004 PPV (in/sec) which below the threshold of perception and any risk of damage. The impact is less than significant, and no mitigation is required.

#### Less Than Significant Impact

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?*

The Project site is located approximately 11.03 miles east of the Yucca Valley Airport. There no Airport Safety Review area identified for Yucca Valley Airport. Yucca Valley Airport is operated by the Yucca Valley Airport District, as identified in the City of Yucca Valley General Plan Noise Element<sup>16</sup>. Yucca Valley Airport has adopted a Noise Abatement Policy involving airplane traffic patterns and noise mitigation procedures. The Project site is not located within close proximity

<sup>16</sup><https://www.yucca-valley.org/our-town/departments/community-development/planning/general-plan-update>

to a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

### No Impact

**Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.**

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIV. POPULATION AND HOUSING - Would the project:</b>					
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>SUBSTANTIATION:</b>					
<b><i>San Bernardino Countywide Plan; Submitted Project Material</i></b>					

- a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The proposed Project is the development of a Hotel. It does not involve construction of new homes nor would it induce unplanned population growth. With the approval of the CUP for this Project, the Project will be consistent with the Countywide Plan land use designations and is therefore consistent with the growth forecast in the Countywide Plan. A very limited number of permanent jobs (5-10) would be created for maintenance of the facility. Construction activities would be temporary and would not attract new employees to the area. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### Less Than Significant Impact

- b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The Project site is vacant and undeveloped. No housing or persons will be displaced by the Project. No impacts related to population displacement or replacement housing would occur.

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XV. PUBLIC SERVICES</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***SUBSTANTIATION:***

***San Bernardino Countywide Plan; Submitted Project Materials***

- a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

*Fire Protection?*

The Project area is served by the San Bernardino County Fire Department and is generally located 5.5 miles from Station 36. Station No. 36 is located at 6715 Park Blvd, Joshua Tree.

Response times in the range of five to eight minutes are considered maximum in the case of structural fires. A longer response time will result in the loss of most of the structural value. Fire station organization, distance, grade and road conditions affect response times. Additionally, San Bernardino County Fire will provide plan reviews during the development review process and the Project will be required to pay all applicable fire development fees. Due to the distance of the stations from the property and relatively easy access, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

*Police Protection?*

Personnel organization, distance, grade and road conditions as well as other physical factors influence response times by law enforcement. The unincorporated portions of San Bernardino County near the Project site is served by the Twentynine Palms Patrol Station, located at 63665 Twentynine Palms Highway (State Highway 62), in Joshua Tree, approximately 3 miles west of the Project site. The Sheriff's Department reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Due to the limited use of the property and ease of accessing the property, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

*Schools?*

The Project Site is served by the Morongo Unified School District. Construction activities would be temporary and would not result in substantial population growth. A minimal number of additional employees would be involved in on-going site maintenance and are expected to come from the existing local labor force in the area. Therefore, the proposed Project is not expected to draw any new residents to the region that would require expansion of existing schools or additional schools. With the collection of development impact fees payable to the School District, impacts related to school facilities are expected to be less than significant and no mitigation measures are required.

**No Impact**

*Parks?*

The proposed Project would not induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities, due to the limited size and design of the campground, such that substantial physical deterioration of any facilities would result. Operation of the proposed Project would place a limited demand on existing parks because it would involve the introduction of a temporary human population into the area. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

*Other Public Facilities?*

The proposed Project would not result in an increased residential population or a notable increase in the work force as the proposed Project involves a Hotel. Therefore, implementation of the proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities. No impacts are identified or anticipated, and no mitigation measure is required.



**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVI. RECREATION</b>					
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***SUBSTANTIATION:***

***San Bernardino Countywide Plan; Submitted Project Materials***

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?*

The anticipated employees are expected to come from the local labor force and the proposed Project does not include development of residential housing or other uses that would lead to substantial population growth. Therefore, the proposed Project would not result in an increase in the use of existing neighborhood or regional parks, or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. The Project Applicant's payment of required fees will serve to mitigate any potential impacts related to the use of existing parks and other recreational facilities from the Proposed Project. No impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The proposed Project does not include the construction or expansion of recreational facilities. The estimated employees required for the operations of the proposed Project would come from the local labor force. No recreational facilities would be removed, and the addition of

employees would not create the need for additional facilities. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**No Impact**

**Therefore, no adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVII. TRANSPORTATION – Would the project:</b>					
a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***SUBSTANTIATION:***

***San Bernardino Countywide Plan; Submitted Project Materials; Vehicles Miles Traveled Screening Assessment, Ganddini Group., January 2022***

- a) *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*
- b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?*

Projected trip generation for the proposed project was developed based on County San Bernardino Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment June 16, 2020. Trip generation for the project has been developed using rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021). As shown in the attached table, the project is anticipated to generate 136 daily trips, 8 AM peak hour trips, and 10 PM peak hour trips. TIS screening criteria has been referenced from the

County of San Bernardino *Transportation Impact Study Guidelines* (July 9, 2019). A TIS should be conducted under the following conditions:

- If a project generates 100 or more trips without consideration of pass-by trips during any peak hour.
- If a project is located within 300 feet of
  - The intersection of two streets designated as Collector or higher in the County's General Plan or the Department's Master Plan or
  - An impacted intersection as determined by the Traffic Division.
- If this project creates safety or operational concerns.

#### LOW VMT AREA SCREENING

As noted in the Technical Advisory, "residential and office projects that locate in areas with low VMT and that incorporate similar features (density, mix of uses, and transit accessibility) will tend to exhibit similarly low VMT." (1) The Screening Tool uses the sub-regional San Bernardino Transportation Analysis Model (SBTAM) to measure VMT performance within individual traffic analysis zones (TAZ's) within the region. The Project's physical location is input into the Screening Tool to determine project-generated VMT. The parcels containing the proposed Project was selected and the Screening Tool was run for Production/Attraction (PA) Home-Based Work VMT per Employee measure of VMT. As the screening tool does not have a function measuring VMT per Employee + Visitors, the VMT per Service Population (SP) will be presented as a secondary metric.

**Table 19 – Trip Generation**

Proposed Land Use <sup>1</sup>	ITE Code	Qty	Unit <sup>2</sup>	Daily		AM Peak Hour					PM Peak Hour						
				Rate	Volume	Rate	In:Out		Volume			Rate	In:Out		Volume		
							Split		In	Out	Total		Split		In	Out	Total
Hotel	310	20	RM	7.99	160	0.46	56:44	5	4	9	0.59	51:49	6	6	12		

1: Trip generation and pass-by rates from ITE Trip Generation (11th Edition, 2021). 2: DU = Dwelling Units.

The Project generates less than 100 trips during both peak hours. The Project is not located within 300 feet of an intersection of two streets designated as Collector or higher, or within 300 feet of an impacted intersection. No safety or operational concerns are expected as a result of the Project being constructed and operational. As such, a TIS is not required to be conducted for the proposed Project.

#### Less Than Significant Impact

- c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The Project site is almost perfectly rectangular-shaped and is not adjacent to windy roads. Moreover, the proposed Project is located within in an area that already contains a main route within Joshua Tree. It does not include a geometric design or incompatible uses that would

substantially increase hazards. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

### No Impact

#### d) Result in inadequate emergency access?

The Proposed Project would be subject to any conditions required by the San Bernardino County Fire Department to maintain adequate emergency access. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### Less Than Significant Impact

**Therefore, no adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVIII. TRIBAL CULTURAL RESOURCES</b>				
a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### **SUBSTANTIATION:**

**San Bernardino Countywide Plan; Phase I Cultural Resources Investigation – CRM Tech., July 6, 2022, Tribal Consultation**

- a) i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or;*
- ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

On September 27, 2022, CRM TECH submitted a written request to the State of California Native American Heritage Commission (NAHC) for a records search in the commission's Sacred Lands File. In the meantime, CRM TECH contacted the nearby Twenty-Nine Palms Band of Mission Indians and Morongo Band of Mission Indians by e-mail for additional information on potential Native American cultural resources in the Project vicinity and to invite the Twenty-Nine Palms Band to participate in the upcoming archaeological fieldwork. Follow-up correspondence to arrange for tribal participation in the field survey were later carried out with the Twenty-Nine Palms Band between October 18 and 24, 2022.

In response to CRM TECH's inquiry, the NAHC replied in a letter dated November 10, 2022, that the Sacred Lands File search identified no Native American cultural resources in the Project vicinity. Noting that the absence of specific information would not necessarily indicate the absence of such resources, however, the NAHC recommended that local Native American groups be consulted for further information and provided a referral list of 21 individuals affiliated with 14 tribes in the region. The NAHC's reply is attached to this report as Appendix 2 for reference by the County of San Bernardino in future government-to-government consultations with the tribal groups, if necessary.

As mentioned above, the Twenty-Nine Palms Band of Mission Indians and the Morongo Band of Mission Indians were contacted for comments and/or participation in the archaeological fieldwork. As of this time, the Morongo Band has not responded. In an e-mail dated October 24, 2022, Sarah Bliss, Director Tribal Programs EPA for the Twenty-Nine Palms Band, stated that the tribe was unable to participate in the fieldwork but requested to be advised of the results of the survey, which was provided to Ms. Bliss by e-mail on October 27, 2022.

- CEQA provides that "a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment" (PRC §21084.1). "Substantial adverse change," according to PRC §5020.1(q), "means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired." The results of the present study have established that no "historical resources," as defined by CEQA and associated regulations, are present within the Project area.

With the incorporation of the mitigation measures **CR-1** and **CR-2** from the Cultural Resources Section, impacts to tribal resources will be less than significant.

#### **Less than Significant with Mitigation**

**Therefore, no significant adverse impacts are identified or anticipated with the implementation of mitigation measures.**

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>					
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b><i>SUBSTANTIATION:</i></b>					
<b><i>San Bernardino Countywide Plan; Submitted Project Materials</i></b>					

- a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

The Project site is currently served by water and electricity. The Project will connect to these utility service networks and, other than parcel-level connections, will not require the

construction or expansion of additional facilities because the proposed Project will not significantly increase demand for services. Wastewater infrastructure is not available in the Project vicinity; therefore, the Project will require a septic system on site and will not be connected to wastewater treatment facilities. As discussed in Section X.c.ii-iii (Hydrology and Water Quality), and compliance with existing regulatory programs would ensure that the Project will not create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems. The Project is not expected to require or result in the construction or relocation of new or expanded utility facilities. Impacts will be less than significant.

#### Less Than Significant Impact

- b) *Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The Joshua Basin Water District's future water supplies in normal, single dry, and multiple dry conditions are detailed in Chapter 6 of the 2020 Urban Water Management Plan. Specifically, the District has sufficient and reliable water supplies to meet forecast customer water needs through 2045 considering water use forecasts for both normal and dry condition. Tables 12-14 shows the normal year supplies and demands on an annual timestep from 2025 through 2045.

**Table 12: Normal Water Supply and Demand through 2045**

	2025	2030	2035	2040	2045
<b>Existing Supplies</b>					
Groundwater from Natural Recharge	0	0	0	0	0
Groundwater from Storage	0	0	0	0	0
Imported Water	500	500	500	500	500
Return Flow	476	476	476	475	480
<b>Total Existing Supplies</b>	<b>976</b>	<b>976</b>	<b>976</b>	<b>976</b>	<b>980</b>
<b>Planned Supplies</b>					
Additional Imported Water	597	597	597	597	597
<b>Total Planned Supplies</b>	<b>597</b>	<b>597</b>	<b>597</b>	<b>597</b>	<b>597</b>
<b>Total Supplies</b>	<b>1,573</b>	<b>1,573</b>	<b>1,573</b>	<b>1,572</b>	<b>1,577</b>
Estimated Demands	1,108	1,108	1,108	1,105	1,117
<b>Difference (Supply - Demand)</b>	<b>465</b>	<b>465</b>	<b>465</b>	<b>467</b>	<b>460</b>

**Table 13: Single-Dry Water Supply and Demand through 2045**

	2025	2030	2035	2040	2045
<b>Existing Supplies</b>					
Groundwater from Natural Recharge	0	0	0	0	0

<b>Groundwater from Storage</b>	<b>563</b>	<b>565</b>	<b>564</b>	<b>563</b>	<b>569</b>
<b>Imported Water</b>	<b>215</b>	<b>215</b>	<b>215</b>	<b>215</b>	<b>215</b>
<b>Return Flow</b>	<b>476</b>	<b>476</b>	<b>476</b>	<b>475</b>	<b>480</b>
<b>Total Existing Supplies</b>	<b>691</b>	<b>691</b>	<b>691</b>	<b>690</b>	<b>695</b>
<b>Planned Supplies</b>					
<b>Additional Imported Water</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Planned Supplies</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Supplies</b>	<b>1,254</b>	<b>1,256</b>	<b>1,255</b>	<b>1,253</b>	<b>1,264</b>
<b>Estimated Demands</b>	<b>1,254</b>	<b>1,256</b>	<b>1,255</b>	<b>1,253</b>	<b>1,264</b>
<b>Difference (Supply - Demand)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Table 14: Multiple-Dry Water Supply and Demand through 2045**

	<b>2025</b>	<b>2030</b>	<b>2035</b>	<b>2040</b>	<b>2045</b>
<b>Existing Supplies</b>					
Groundwater Safe Yield	0	0	0	0	0
Groundwater from Storage	356	368	407	432	474
Imported Water	500	500	500	500	500
Return Flow	760	770	790	820	840
<b>Total Existing Supplies</b>	<b>1,616</b>	<b>1,638</b>	<b>1,697</b>	<b>1,752</b>	<b>1,814</b>
<b>Planned Supplies</b>					
Additional Imported Water	146	146	146	146	146
<b>Total Planned Supplies</b>	<b>146</b>	<b>146</b>	<b>146</b>	<b>146</b>	<b>146</b>
<b>Total Supplies</b>	<b>1,762</b>	<b>1,784</b>	<b>1,843</b>	<b>1,898</b>	<b>1,960</b>
<b>Estimated Demands</b>	<b>1,762</b>	<b>1,784</b>	<b>1,843</b>	<b>1,898</b>	<b>1,960</b>
<b>Difference (Supply - Demand)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

The amount of water projected to be used by the Project is relatively small due to Project operations. Water supplies available through connection to the Joshua Basin Water District are projected to be sufficient to serve the proposed Project and reasonably foreseeable future development. No significant impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

- c) *Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?*

The proposed Project will utilize an on-site wastewater disposal system with 3 chambers consisting of a 4800 gallon capacity. Once capacity is reached, all waste will be pumped out by a waste disposal truck and transported to the appropriate facility. The Project site is not currently connected to sewer lines nor is it served by a wastewater treatment plant. Since the Proposed Project would not connect to an existing wastewater treatment facility and any



transported waste will be minimal, no impacts are identified or anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

- d) *Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

The Project site is currently within the refuse collection area of Burrtec Waste Industries. Solid waste generated at the Project Site is disposed of at either the San Bernardino County Landers Sanitary Landfill (36-AA-0057), or other active landfills as necessary. According to CalRecycle's estimated solid waste generation rates for motels, the proposed Project would generate at most, approximately 281 pounds of solid waste per day or approximately 0.14 tons per day, based on 3.6 pounds per unit per day<sup>17</sup>. According to the CalRecycle web site, the Landers Sanitary Landfill has a maximum throughput of 1,200 tons per day, an expected operational life through 2072.

The amount of solid waste generated is expected to be minimal due to the type of use and its operation. Additionally, the Projects will be constructed in accordance with the California Green Building Standards Code, which requires a minimum of 65 percent of the "non-hazardous construction and demolition debris" (by weight or volume) to be recycled or reused. Therefore, the Project would be served by a landfill with sufficient permitted capacity to accommodate its solid waste disposal needs. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

- e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The County of San Bernardino Solid Waste Management Division reviews and approves all new construction projects that require a Construction and Demolition Solid Waste Management Plan (waste management plan). A project's waste management plan consists of two parts that are incorporated into the Conditions of Approval (COA's) by the County of San Bernardino Solid Waste Management Division. As part of the plan, proposed projects are required to estimate the amount of tonnage to be disposed and diverted during construction. Disposal/diversion receipts or certifications are required as a part of that summary. The mandatory requirement to prepare a Construction and Demolition Solid Waste Management Plan would ensure that impacts related to construction waste would be less than significant. The proposed Project would comply with all federal, State, and local statutes and regulations related to solid waste. Solid waste produced during the construction phase or operational phase of the proposed Project would be disposed of in accordance with all applicable statutes and regulations. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation.

#### **Less Than Significant Impact**

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<sup>17</sup>CalRecycle Waste Generation Estimates <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XX.</b>	<b>WILDFIRE:</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>SUBSTANTIATION:</b>					
<b>San Bernardino Countywide Plan; Submitted Project Materials; CalFire VHFHSZ in LRA</b>					

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

The site is designated as Moderate on the Countywide Plan Map, HZ-5 Fire Hazards Severity Zones. The Project site is adjacent to a designated Countywide Plan evacuation route (PP2, Evacuation Routes), State Hwy 62. However, operations and construction of the proposed Project would not interfere with the use of these routes during an evacuation. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Furthermore, the Project site does not contain any emergency facilities. Continued operations at the Project site would not interfere with an adopted emergency response or evacuation plan. One of the proposed entrances does directly connect to State Hwy 62, however, it would be maintained for emergency ingress/egress and are adequately spaced to allow adequate emergency response. No significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?*

The Project site slopes to the northwest in a uniform manner. The proposed Project is to develop the site with a hotel and parking. The proposed Project does not include the development of any fuel factors that may increase the risk of fire in the vicinity. Additionally, the proposed Project will be required to follow all County Fire Protection Standards in the Development Code, which includes installation of fire suppression system. Due to the limited increase in wildfire fuel factors within the Project site and the lack of permanent new housing, the risk of wildfires is less than significant. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

The proposed Project does not include the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment, since water would be pumped from groundwater and wastewater would be provided by septic systems. Electrical service would be extended to the property. Such an extension of these services to the property would be part of any future development, since the site is zoned for commercial development. Therefore, no impacts are identified, and no mitigation measures are required.

**Less Than Significant Impact**

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The Project site and its immediate vicinity are relatively flat yet sloping to the northwest. No identified drainage courses traverse the site. The combination of these items would not result in post-fire slope instability and no impact is anticipated. The design of the campsites consists of an elevated pier-type building design that limits the ground level footprint and small foundations, ensuring the proposed Project allows for conveyance of storm water flows without affecting upstream or downstream drainage characteristics. As a result, the proposed Project would not expose people or structure to significant risks, such as downslope flooding or landslides. No significant impacts are identified or anticipated, and no mitigation measures are required.

**Less Than Significant Impact**

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE:</b>				

- |    |   |                          |                                     |                                     |                          |
|----|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) | Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) | Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) | Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
- a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

The property was surveyed for Burrowing owl (BUOW), desert tortoise, desert kit fox, and American badger. The report concluded that the onsite conditions are marginally suitable for desert tortoise. As such, the site was searched for any signs of desert tortoise. None were found during the site survey. However, as because the site is suitable for desert tortoise, **MM BIO-1** would be implemented to further reduce the potential impacts to desert tortoise.

Additionally, the Project will be required to comply with **MMs BIO-2** and **BIO-3**. **MM BIO-2** will require nesting bird surveys prior to construction. This will ensure that no nesting birds are impacted as a result of the Project. **MM BIO-3** will ensure that the Project will comply with all aspects of the Desert Native Plant Act. Including flagging and relocation of protected species. With the above mitigation measures, impacts to Biological Resources will be less than significant.

A Cultural Resource Assessment was prepared by CRM Tech on March 8, 2023. Which included archaeological records search was also undertaken by the South Central Coastal Information Center. **MMs CR-1** and **CR-2** would be implemented to reduce impacts to potential archaeological and tribal cultural resources. Therefore, the proposed Project would not eliminate important examples of the major periods of California history or prehistory.

#### **Less than Significant with Mitigation**

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:

- (a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.
- (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The proposed Project would not generate a notable number of daily trips, which would not be cumulatively considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. Similarly, the pollutant emissions from the proposed Project are below MDAQMD thresholds and therefore, the proposed Project would be in compliance MDAQMD's Air Quality Management Plan. In addition, greenhouse gas emissions from the Proposed Project are below County thresholds. Therefore, air quality and greenhouse gas impacts would not be cumulatively considerable. Impacts associated with the proposed Project would not be considered individually or cumulatively adverse or considerable. Impacts identified in this Initial Study can be reduced to a less than significant impact. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### **Less than Significant with Mitigation**

- c) *Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?*

The Project site is not in located in an area that is susceptible to geologic hazards. Construction and operational noise levels would not be significant due to the size of the property , the distance to surrounding residences, and limitations on nighttime noise levels. Therefore, implementation of the proposed Project would not have environmental effects that would cause substantial adverse effects on human beings. At a minimum, the Project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further ensure that no potential for adverse impacts will be introduced by construction activities, and current or future land uses authorized by the Project approval. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### **Less Than Significant Impact**

**Therefore, no significant adverse impacts are identified or anticipated with incorporation of mitigation measures.**

## **MITIGATION MEASURES/CONDITIONS OF APPROVAL**

Any mitigation measures, which are not “self-monitoring”, shall have a Mitigation Monitoring and Reporting Program prepared and adopted at time of project approval. Condition compliance will be verified by existing procedures. (CCRF)

**MM BIO-1** Because the site is marginally suitable, pre-construction surveys will be required for this species. These surveys should be conducted by a qualified biologist and at an appropriate time of day/year to observe signs of desert tortoise using the 2018 Desert Tortoise Survey Protocol from the USFWS.

**MM BIO-2** Nesting bird nesting season generally extends from February 1 through September 15 in southern California and specifically, March 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage, and expected types, intensity, and duration of the disturbance. The nests and buffer zones shall be field-checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

**MM BIO-3** Flagging and relocation to a nursery or suitable other entity shall occur prior to construction, for any species that is protected by the California Desert Native Plant Act that will be impacted. Any construction that removes any protected plant species will require a permit from the agricultural commissioner or local sheriff in the county where protected plants will be removed.

**MM CR-1** For adequate coverage and the protection of possibly significant buried resources and tribal cultural resources, a qualified archaeologist shall be retained by the applicant to monitor all ground-disturbing construction activities, included but not limited to site preparation, grading and excavation. The applicant and archaeologist will agree on a monitoring schedule based on the necessary days of ground-disturbance. In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period. If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact any tribes claiming cultural affiliation to the area. If requested by the Tribe(s), the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g., avoidance, preservation, return of artifacts to tribe, etc.). If avoidance is not possible, an avoidance plan will be prepared and implemented based on consultation between the archaeologist and tribes.

**MM CR-2** If evidence of human remains is identified, the County Coroner will be contacted immediately and permitted to inspect the remains. San Bernardino County and the Project Applicant shall

also be informed of the discovery. The Coroner will determine if the bones are historic/archaeological or a modern legal case. The Coroner will immediately contact the Native American Heritage Commission (NAHC) in the event that remains are determined to be human and of Native American origin, in accordance with California Public Resources Code Section § 5097.98.

All discovered human remains shall be treated with respect and dignity. California state law (California Health & Safety Code § 7050.5) and federal law and regulations ([Archaeological Resources Protection Act (ARPA) 16 USC 470 & 43 CFR 7], [Native American Graves Protection & Repatriation Act (NAGPRA) 25 USC 3001 & 43 CFR 10] and [Public Lands, Interior 43 CFR 8365.1-7]) require a defined protocol if human remains are discovered in the State of California regardless if the remains are modern or archaeological.

**MM PAL-1** If any suspected paleontological resources or undisturbed potentially fossiliferous soils are discovered during earth-moving operations associated with the project, all work in that area should be halted or diverted until a qualified paleontologist can evaluate the nature and significance of the finds.



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*Evoque Modern*

APN: 0608-051-02, 03, and 04

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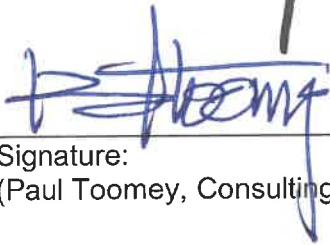
**CERTIFICATION:**



Signature:  
(prepared by Oliver Mufica, Contract Planner III)

August 14, 2025

Date



Signature:  
(Paul Toomey, Consulting Planning Manager)

AUGUST 18, 2025

Date